

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF ALABAMA**  
**REGULAR SESSION**  
**OF 1997**

**HELD IN THE CITY OF MONTGOMERY**  
**COMMENCING TUESDAY, FEBRUARY 4, 1997**



**VOL. 3**

**WITH AN INDEX PREPARED BY THE**  
**SECRETARY OF THE SENATE**





## CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

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2. Listing of legislative days, with calendar dates and pages on which each day begins;
3. Topic index of general bills listed alphabetically by subject matter;
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5. Topic index of resolutions;
6. Miscellaneous index, including all items not categorized as bills or resolutions;
8. Sponsor index, listing all Senate bills and resolutions alphabetically by author;
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## **THIRTIETH LEGISLATIVE DAY**

**MONDAY, MAY 19, 1997**

The Senate met pursuant to adjournment, Lieutenant Governor Siegelman presiding.

### **PRAYER**

The Session was opened with prayer by Representative Thomas E. Jackson, House District Sixty-Eight.

### **PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Lindsey Lane, Forest Avenue School, Montgomery, Alabama.

### **ROLL CALL**

Present:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

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### **REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Twenty-Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

PAT LINDSEY,  
Chairperson.

### **COMMITTEE REPORT**

On motion of Senator Lindsey, the foregoing report was concurred in and approved by the Senate.

## JOURNAL

And on motion of Senator Mitchell, the reading of the Journal of yesterday was dispensed with and same adopted by the Senate.

## RESOLUTIONS

Senator Little offered the following Senate Joint Resolution, to-wit:

**SJR 168.** MOURNING THE DEATH OF COUNCILMAN KENNETH HERBERT BROWN OF AUBURN, ALABAMA.

WHEREAS, it is with the most profound sorrow and deep sense of loss that the Legislature of Alabama records the death of Councilman Kenneth Herbert Brown of Auburn, Alabama, on March 4, 1997, at the age of 72 years; and

WHEREAS, a prominent member of the Auburn community and a distinguished Alabamian, Mr. Brown's good deeds earned for him the respect and admiration of countless individuals whose lives he touched through genuine care and concern; and

WHEREAS, Mr. Brown, a tireless supporter of the City of Auburn, served as a member of the Auburn City Council for six years, representing Ward 4, Place 1; and

WHEREAS, Mr. Brown was employed by Alabama Power Company, and, over the years, committed his time and energy to serving his community and fellow man as a member of the Auburn Industrial Development Board, in various areas within the Auburn Chamber of Commerce, including its board, as a charter member of the Auburn Beautification Council, and as a member of the Kiwanis Club and Auburn First Baptist Church; and

WHEREAS, he is especially remembered for his contribution to the founding of the Auburn Tiger Trail, the designation of the Shug Jordan Parkway, and for his extensive support of economic development and public education; and

WHEREAS, the high esteem in which Kenneth Herbert Brown was held by his loving family, his myriad of friends, and other individuals fortunate enough to have known him stands as a testament for others who strive for the best in personal, professional, public, and community life and his memory will live forever in the hearts and minds of all those whose lives he touched; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express our deepest regret in the death of Councilman Kenneth Herbert Brown and extend our most heartfelt sympathy to his devoted wife, Virginia Brown, to whom a copy of this resolution shall be provided with our sincere condolence; to his daughters, Debra Bagwell and Anne Evans; his grandchildren, Dorothy Jean Bagwell, Lee Anne Bagwell, and Martha Anne Evans; and other family members and friends, whose sorrow we share.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Little, Butler, Dixon, Langford, McClain, Lipscomb, Smith, Clay, and Adams offered the following Senate Joint Resolution, to-wit:

**SJR 169. URGING CONGRESS AND PRESIDENT CLINTON TO TAKE ALL NECESSARY ACTIONS TO RECOVER LIVING AMERICAN PRISONERS OR DETERMINE EVIDENCE OF THEIR DEATH IN THE WAR IN SOUTHEAST ASIA, OTHERWISE KNOWN AS THE VIETNAM CONFLICT.**

WHEREAS, The United States' participation in the Vietnam War ended in 1973 during a brief cease-fire agreement; and

WHEREAS, yet today, some 24 years later, many American Prisoners of War remain unaccounted for; and

WHEREAS, the Vietnamese Government has expressed a desire to resume normal trade relations with the United States; and

WHEREAS, it is our strong belief that before United States and Vietnam relations can be normalized or continued, all possible efforts should be made to either disprove documentation of the existence of living American Prisoners of War or locate and have these persons returned to their country for which they have fought, and thus know that they have not been abandoned; and

WHEREAS, although the achievement of bringing home the remains of those missing in action is a monumental effort and of utmost importance, the immediate crisis which must be addressed and given priority is of the reported living American Prisoners of War in Southeast Asia, so that the families and loved ones of those prisoners may then find peace of mind and either have reunion with their loved ones or closure on this very personal and emotional issue in their lives; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we call upon the United States Congress and President Clinton to take all necessary actions to recover living American Prisoners of War in Southeast Asia.

RESOLVED FURTHER, That a copy of this resolution be sent to President Clinton and to each member of the Alabama Congressional Delegation, to the Speaker of the United States House of Representatives, and to the President of the United States Senate as an expression of our deep sentiments and expectations in this matter.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Lindsey requested and received permission to suspend the Rules in order to bring up the Bill, HB 270.

Senator Lindsey, B.I.R., HB 270, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -28

Nays:

- 0

### BILLS ON THIRD READING

THE BILL:

**HB 270.** To amend Section 13A-11-8 of the Code of Alabama 1975, as last amended by Act 96-767 of the 1996 Regular Session, so as to clearly specify that the actions constituting the crimes of harassment and harassing communications are mutually independent.

was read a third time at length and passed.

Yeas 28 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Butler, Clay, Davidson, Dial, Dixon,

Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -28

Nays: - 0

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 564.** Proposing an amendment to the Constitution of Alabama of 1901, to phase out existing supernumerary programs in Lee County and to provide that public officials in the county may participate in the Employees' Retirement System of Alabama.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 30.** Relating to Houston County, authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; providing for an auction and for the disposition of proceeds.

Also:

**30th Day - May 19, 1997**

**HB 32.** Relating to Houston County; to impose a special additional filing fee of three dollars on certain instruments, documents, and papers filed for record in the office of the judge of probate; to provide for the disposition of the fees; and to provide that the law shall be cumulative.

Also:

**HB 713.** Relating to Dale County; providing for the establishment of a unit system for road maintenance, repair, and construction; providing for the employment, qualifications, and compensation of a county engineer; and defining the authority, powers, and duties of the county engineer and county commission.

Also:

**HB 823.** To enact the Uniform Conservation Easement Act, providing for the creation, enforcement, modification, duration, and termination of conservation easements on real property for conservation, recreational, and other related purposes.

Also:

**HB 1045.** Relating to Lowndes County; authorizing the county commission to levy an additional sales and use tax; providing for the collection, distribution, and use of the proceeds of the tax; and providing for a termination date.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 530.** To alter and rearrange certain boundary lines and corpo-



rate limits of the Town of Rehobeth, all in T2N, R26 in Houston County to remove certain property from the corporate limits of the municipality.

Also:

**HB 751.** To amend Section 1, Act 86-564, H. 806, 1986 Regular Session, as amended, which provides further for distribution of Marshall County's share of in-lieu-of-taxes payments of the Tennessee Valley Authority, to extend the distribution to Mountain Valley Council on the Arts to September 30, 1999; and to provide for a retroactive effect.

Also:

**HB 761.** Relating to Talladega County; to provide for the operation and management of an inmate commissary at the county jail.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

**SB 564.** To amend Act 91-635, 1991 Regular Session (Acts 1991, p. 1193), to provide new criteria for the making of grants to grantees by the State Industrial Development Authority; to conform the definitions contained in Act 91-635 to the provisions of Article 7 of Chapter 18 of Title 40 of the Code of Alabama 1975; to permit proceeds of grants to be used for rehabilitation of structures; and to increase the maximum site preparation grant amount available under Act 91-635.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

### **POINT OF PERSONAL PRIVILEGE**

Senator Mitchem asked that the Journal show that he requested unanimous consent for the Committee on Confirmations to report CF 144 and CF 145 out of order, but because of objections the request to report was denied.

### **BUDGET ISOLATION RESOLUTION**

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, HB 1111.

Senator Windom, B.I.R., HB 1111, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom

-28

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1111.** To amend Section 27-7-5, Code of Alabama 1975, relating to the qualifications of an applicant for a license to sell property or casualty insurance, to provide further for an applicant who has a prior felony conviction when the applicant has been fully pardoned.

was read a third time at length and passed.

Yeas 28 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -28

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Butler requested and received permission to suspend the Rules in order to bring up the Bill, HB 405.

Senator Butler, B.I.R., HB 405, adopted.

Yeas 28 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -28

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 405.** Authorizing the Department of Revenue to accept electronically filed tax returns of all types and to adopt rules and qualifications for tax returns and other documents filed electronically; establishes definitions, return and signature requirements specific to electronic filing; addresses the qualification of electronic return "Originators," "Transmitters," and associated computer software by "Software Developers;" and amends Section 40-1-1, Code of Alabama 1975, to establish, revise, and reorder certain definitions.

was read a third time at length and passed.

Yeas 32 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson,

Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -32

Nays: - 0

### BUDGET ISOLATION RESOLUTION

Senator Hale requested and received permission to suspend the Rules in order to bring up the Bill, HB 202.

Senator Hale, B.I.R., HB 202, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 202.** To amend Section 32-6-1 of the Code of Alabama 1975, to extend the renewal time period for a driver's license without further examination from one year to three years.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill, HB 50.

Senator Bailey, B.I.R., HB 50, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-34

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 50.** Relating to limited partnerships and foreign limited partnerships, to amend Sections 10-9A-2 and 10-9A-163 of the Code of Alabama 1975, so as to permit the abbreviation "L.P." in the name of these partnerships.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-34

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill, HB 44.

Senator Dixon, B.I.R., HB 44, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 44.** Relating to subordinate officers and employees of the Legislature; providing for the election, appointment, number, duties, powers, compensation, classification, and supervision of these officers and employees; providing that the Offices of the Lieutenant Governor and the Speaker of the House of Representatives are distinct and specifying the powers of the Lieutenant Governor and the Speaker in the operation of their offices; amending Sections 29-1-9, 29-1-12, 29-2-22, 29-2-41, and 29-2-62 of the Code of Alabama 1975; repealing Chapter 4 of Title 29 of the Code of Alabama 1975 and adding a new chapter in lieu thereof relating to subordinate officers and employees of the Legislature; repealing Sections 29-2-7, 29-2-21, and 29-2-53 of the Code of Alabama 1975; and providing for a delayed effective date.

was taken up.

The Standing Committee on Economic Expansion and Trade reported the following substitute for the Bill, HB 44, to-wit:

### **SUBSTITUTE FOR HB 44**

#### **A BILL TO BE ENTITLED AN ACT**

Relating to subordinate officers and employees of the Legislature; providing for the election, appointment, number, duties, powers, compensation, classification, and supervision of these officers and employees; providing that the Offices of the Lieutenant Governor and the Speaker of the House of Representatives are distinct and specifying the powers of the Lieutenant Governor and the Speaker in the operation of their offices; amending Sections 29-1-9, 29-1-12, 29-2-22, 29-2-41, and 29-2-62 of the Code of Alabama 1975; repealing Chapter 4 of Title 29 of the Code of Alabama 1975 and adding a new chapter in lieu thereof relating to subordinate offic-

ers and employees of the Legislature; repealing Sections 29-2-7, 29-2-21, and 29-2-53 of the Code of Alabama 1975; and providing for a delayed effective date.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 29-1-9, 29-1-12, 29-2-22, 29-2-41, and 29-2-62 of the Code of Alabama 1975 are amended to read as follows:

“§29-1-9.

“The compensation of all members of the legislative interim committees provided for by joint resolution or by act of the two houses of the legislature shall be \$10.00 per day for the entire time while engaged in its work, except in cases of adjournment exceeding three days. The members of such committees shall collect mileage in traveling to and from the residence of such members to the Capitol for not more than one roundtrip per week. ~~Persons employed by said several committees shall be paid such reasonable compensation as may be fixed by the committee making the employment.~~ The chairman chair of each ~~such~~ committee shall certify to the comptroller what amount is due each member ~~or employee~~ and the comptroller shall draw his ~~or her~~ warrant therefor on the treasurer. No legislative interim committee ~~or its employees~~ shall receive compensation for more than 60 days.

“§29-1-12.

“(a) ~~For the purpose of checking, comparing, completing, and filing the journals of their respective houses in the office of the Secretary of State, and copying and delivering the journals to the state printer in such form or state of completion, including camera ready drafts, the final form for printing, or other forms as the clerk or secretary deem necessary and appropriate, or, in the discretion of the secretary or clerk, for the purpose of preparing the final bound and printed journals, the Secretary of the Senate and the Clerk of the House shall be allowed the following clerical assistants:~~

“(1) ~~The Secretary of the Senate shall be allowed the assistant secretary, second assistant secretary, the chief clerk, the reading clerk of the senate, and the enrolling and engrossing clerk, together with such employees as are necessary for the purpose of checking, comparing, completing, and filing the journals. The total number of employees retained after a session ceases shall not exceed 30 employees in addition to those permanently employed.~~

“(2) ~~The Clerk of the House shall be allowed the assistant clerk, second assistant clerk, the reading clerk, the chief clerk to the clerk of the house, and the enrolling and engrossing clerk, together with such employ-~~

~~ees as are necessary for the purpose of checking, comparing, completing, and filing the journals. The total number of employees retained shall not exceed 36 employees in addition to those permanently employed.~~

“(b) The Secretary of the Senate and the Clerk of the House shall be allowed 16 weeks ~~with these clerical assistants~~ within which to check, compare, and deliver the journals of the senate and the house of representatives of each session of the legislature to the Secretary of State and the state printer. The journals of the 10-day or organization session of the legislature shall be compiled, combined, and filed with the journals of the next ensuing regular session. The time allowed after final adjournment of any session, other than the 10-day or organization sessions, for the filing of the journals in the office of the Secretary of State and completing the work specified by this ~~subsection~~ section shall be 16 weeks. If there is a special session during, or within 16 weeks after the final adjournment of a regular session, or if there is a regular session within 16 weeks after the final adjournment of a special session, or if there is a special session within 16 weeks after the final adjournment of a special session, the time for comparing and filing the journals of such sessions, including the indices, shall be extended for each session for a period of time as the Speaker of the House and the President of the Senate may determine to be necessary for the clerk and secretary to have sufficient time within which to transcribe and file the journals of each house. The extended time shall not exceed a total of 16 weeks for each session. Notwithstanding the foregoing, the Speaker of the House and the President of the Senate may, in instances of extreme hardship, unforeseen circumstances, or uncontrollable circumstances, grant to the clerk and secretary an extra time extension that is in addition to any other extension permitted by law. If the time is extended, the Speaker of the House and the President of the Senate shall give written notice to the Secretary of the State and to the state printer of the extension.

“§29-2-22.

~~“Upon the request of the chairman, the secretary of the senate and the clerk of the house shall provide such clerical assistance as may be necessary for the committee’s work.~~ Each legislative member of the committee shall be entitled to his or her regular legislative compensation, his or her per diem and travel expenses incurred within the state for each day he or she attends a meeting of the committee when the legislature is not in session or when the legislature is in recess without pay. Each legislative member shall further be entitled to actual expenses for travel outside the state of Alabama which is deemed necessary by the ~~chairman~~ chair and in accordance with the objectives of the committee. Such sums shall be paid out of any funds appropriated to the use of the legislature on warrants drawn on the state comptroller upon requisition signed by the committee’s ~~chairman~~ chair.

“§29-2-41.



"Each member of the committee shall be entitled to regular legislative compensation, per diem, and travel expenses for each day he or she attends a meeting of the committee, which shall be paid out of the funds appropriated to the use of the legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's ~~chairman; provided, however, that members~~ chair. Members shall not receive additional compensation or per diem when the legislature is in session. ~~The committee is hereby authorized to have one full-time secretary who shall work for the committee under the supervision of the clerk of the house or the secretary of the senate as the case may be. Such secretary shall be compensated at the same rate of pay as other secretaries employed by the legislature and such compensation shall be paid from funds appropriated for the use of the legislature.~~ The department of examiners of public accounts shall furnish assistance and any relevant information to the committee. The committee shall have the responsibility of reviewing contracts for personal or professional services with private entities or individuals to be paid out of appropriated funds, federal or state, on a state warrant issued as recompense for those services. Each state department entering into a contract to be paid out of appropriated funds, federal or state, on a state warrant which is notified by the committee is ~~hereby~~ required to submit to the committee any proposed contract for personal or professional services. Each contract ~~must~~ shall be accompanied by an itemization of the total cost estimate of the contract. The department may, in lieu of the proposed contract, submit to the committee a letter of intent to contract. Such letter of intent to contract shall indicate the contracting parties, the services to be performed, an itemization of the total cost estimate of the contract, and such other information as the department may deem pertinent to the committee review of the contract. The committee shall review and comment where necessary on any such contract or letter of intent to contract within a reasonable time not to exceed 45 days after the department has submitted ~~said~~ the contract or letter of intent to contract to the committee. Any contract made by the state or any of its agencies or departments in violation of this section and without prior review by the committee of either the contract or the letter of intent to contract shall be void ab initio. ~~; provided however, that if~~ If the committee fails to review and comment upon any contract or letter of intent to contract within the aforementioned 45-day time period, such contract shall be deemed to have been reviewed in compliance with this section.

"Should the department elect to submit a letter of intent to contract in lieu of a proposed contract, as authorized in the preceding paragraph, the department shall be required to submit to the committee for its information the contract described in the letter of intent upon the execution of ~~said~~ the contract.

"The committee shall have the power to issue subpoenas for any witnesses and to require the production of any documents or contracts it feels it needs to examine in the conduct of its duties.

"The committee shall organize itself at the first meeting and elect from among its membership a chairman chair and a vice-chairman vice-chair. The committee shall hold regular meetings at least once each month, said the regular meetings to be held during the first week of each month.

"§29-2-62.

"As far as practical all meetings of the committee shall be held in the state housing house building or in the state capitol and be opened to the public. ~~The secretary of the senate or clerk of the house is hereby required to provide one clerk, who shall be a competent stenographer, and the committee is hereby empowered to employ such other personnel, including reporters and attorneys, as the committee shall deem necessary.~~ The committee is hereby empowered to may expend funds for the purpose of correspondence with prospective witnesses, in preparation of reports, and in general expenses incident to the work of the committee. Each member of the committee shall ~~be entitled to his~~ receive the regular legislative compensation, his per diem, and travel expenses for each day he or she attends the meeting of the committee which shall be paid out of the funds appropriated to the use of the legislature on warrants drawn on the state comptroller upon requisition signed by the committee's chairman chair. Provided, that Notwithstanding the foregoing, members shall not receive additional legislative compensation or per diem when the legislature is in session. ~~The chairman of the committee shall certify the sums due to the clerk or other employees of the committee.~~ The sum of at least \$7,000.00 shall be appropriated to the legislature on an annual basis to fund the operation of the committee.

"The lieutenant governor and the speaker of the house shall jointly designate one of the members of the committee as chairman chair and one member to be vice-chairman vice-chair. The lieutenant governor and the speaker of the house shall be ex officio members of the committee and shall receive compensation at the rate paid ~~out to~~ members for each day that they sit with the committee in its work on the subjects and problems listed in this article, or in handling any other matters agreed upon by the committee in line with the general purpose of the committee."

Section 2. Chapter 4 (commencing with Section 29-4-1) of Title 29 of the Code of Alabama 1975 is repealed.

Section 3. Chapter 4 (commencing with Section 29-4-1) is added to Title 29 of the Code of Alabama 1975, to read as follows:

#### CHAPTER 4 SUBORDINATE OFFICERS AND EMPLOYEES

ARTICLE 1  
GENERAL PROVISIONS

§29-4-1.

Except as otherwise expressly provided, the compensation due to officers and employees subject to this chapter shall be certified by the Secretary of the Senate and the Clerk of the House of Representatives, respectively, to the Comptroller, who shall issue a warrant in accordance therewith.

§29-4-2.

(a) Any salary increase provided for state employees who are listed in the classified and unclassified service of the State of Alabama as defined in Section 36-26-10, whether provided for by legislative action, by action of the State Personnel Board, or by rules of the State Personnel Department, shall apply with equal force to all legislative personnel, officers, and employees, including, but not limited to, Legislative Reference Service personnel. Legislative personnel as herein referred to, who are employed on a full time basis and such part-time employees with two or more years of continuous service, shall be entitled to the same number of annual increases as those provided for employees in the classified and unclassified service, and shall further be entitled to exceptional step raises as provided for by law or rules of the State Personnel Department and merit system when approved by the appointing authority.

(b) The Director of the State Personnel Department shall revise the schedules of rates set forth in the pay plan for all employees covered under this section to reflect any increases provided for herein and shall certify the same to the State Comptroller, who shall issue warrants in accordance therewith.

(c) For purposes of pay and employment benefits, rights, and privileges, all personnel employed pursuant to this chapter, other than those persons employed on a temporary or part-time basis, shall be treated as other employees of the state.

§29-4-3.

In the selection of the employees of the Legislature, there shall be no discrimination on account of sex, race, creed, or color.

§29-4-4.

(a) Security personnel employed by the House of Representatives and the Senate shall be responsible for the security of the fourth, fifth,

sixth, seventh, and eighth floors of the Alabama State House, such other areas within the Alabama State House as are used by the Legislature, and such other areas in accordance with Section 29-1-19.

(b) The security officers employed under this chapter shall have the powers of peace officers in this state and may exercise those powers only in the areas designated in subsection (a).

Every department, agency, and bureau of the State of Alabama shall assist in any manner requested by the Legislature in assuring the security of the areas of the Alabama State House designated in subsection (a).

§29-4-5.

(a) Any Alabama state trooper who retires, and who has not reached the age of 65, may be employed or reemployed as a guard, marshal, or doorkeeper for either house of the Legislature without regard to the laws of the State Merit System or to the State Employees' Retirement System.

(b) The retirement benefits of such a retired employee which have accrued prior to employment as a guard, marshal, or doorkeeper for the Legislature shall not be suspended or decreased because of the subsequent employment in any such capacity with the Legislature.

§29-4-6.

(a) It is lawful and permissible for any public employee who has retired under the Employees' Retirement System or the Judicial Retirement Fund to be employed with the House of Representatives, the Senate, the Department of the Examiners of Public Accounts, the Legislative Fiscal Office, or the Legislative Reference Service if the person so employed is physically and mentally capable of performing the required work in the opinion of the employing authority, is not employed in a permanent full-time capacity, does not replace a full-time employee, and does not receive compensation and expenses, other than reimbursement of normally reimbursable employee expenses, in excess of the base allowed under federal Social Security for a person age 67, as set from year to year, for any legislative session in a calendar year.

(b) A retiree employed under this section shall continue to receive all retirement benefits which the retiree would normally receive if he or she were not so employed, subject to the limitations of this section.

(c) The responsibility for compliance with this section is placed upon the employing authority and each retiree employed under this section shall certify to the employer any information required for compliance with this section.

(d) Nothing in this section or any other provision of law shall prevent a person age 65 or over who has retired under the Employees' Retirement System or the Judicial Retirement Fund from performing services for the House of Representatives, the Senate, the Department of Examiners of Public Accounts, the Legislative Fiscal Office, or the Legislative Reference Service as an independent contractor without regard to the limitations in subsection (a).

## ARTICLE 2 OFFICERS AND EMPLOYEES OF THE SENATE

### §29-4-20.

(a) The subordinate officers of the Senate consist of the Secretary of the Senate and an Assistant Secretary of the Senate. The Secretary of the Senate shall be a full-time employee, elected as provided by law, and compensated as provided in this chapter.

(b) The Secretary of the Senate, after serving in that capacity for nine successive years, shall attain continuing service status and may be removed only for cause by a vote of a majority of the members elected to the Senate after 10 days' notice of the intention to vote thereon together with a written notice of the cause for such removal. The service herein provided shall begin on the date of the original election to such office, whether such original election occurred prior to May 1, 1973, or otherwise. The Secretary of the Senate, after attaining continuing service status, shall not participate in political activities such as are prohibited by the Merit System Act in Section 36-26-38.

(c) The Assistant Secretary of the Senate shall serve only while the Legislature is in session. The Assistant Secretary of the Senate shall be elected by a majority vote of the Senate.

(d) Nothing herein shall prohibit the Assistant Secretary of the Senate from being employed as a legislative employee when the Legislature is not in session, but in no event shall he or she be paid or receive compensation for more than one employment at any one time.

(e) The Secretary of the Senate may appoint an administrative assistant. The administrative assistant to the Secretary shall serve at the pleasure of the Secretary and shall be paid from funds appropriated to the Legislature an amount fixed by the Secretary in accordance with that of comparable positions established under the State Merit System pay plan.

(f) The Secretary of the Senate may employ a chief clerk who shall be a full-time employee. The chief clerk shall serve at the pleasure of the Secretary of the Senate and shall be paid from funds appropriated to the

Legislature an amount fixed by the Secretary in accordance with that of comparable positions established under the State Merit System pay plan.

§29-4-21.

The President of the Senate shall administer the oaths required to the subordinate officers of the Senate.

§29-4-22.

(a) The Secretary of the Senate shall receive an annual salary of such amount as has heretofore or as may hereafter be fixed by law, payable as the salaries of other state officers or employees are paid.

(b) The compensation of the Assistant Secretary of the Senate shall be fixed by the Secretary of the Senate.

§29-4-23.

(a) The Secretary of the Senate shall not retain any of the fees charged for the sale of copies of bills introduced in the Legislature. All such fees shall be deposited in the State Treasury to the credit of the General Fund and shall be used to cover the expenses of the Legislature.

(b) The Secretary of the Senate shall disclose his or her personal income in the same manner and under the same statutes as apply to all other members of the legislative branch of government.

§29-4-24.

In addition to the duties otherwise imposed upon or required of the Secretary of the Senate, he or she shall have all of the following duties:

(1) To at all times constitute an information bureau for the members of the Senate and the general public insofar as it is possible to obtain the information required.

(2) To make for the Senate a list, by caption or title, of all bills introduced and all bills reported by the several standing committees.

(3) To make available to each member of the Senate a copy of each act passed which is printed in pamphlet form.

(4) To furnish the Legislative Reference Service, for indexing purposes, a copy of each bill enrolled.

§29-4-25.

(a) The elected members of the Legislative Council of the Senate of the State of Alabama shall regulate, with the advice of the Secretary of the Senate, the employees of the Senate, except pages, and fix the exact number and compensation of employees who may be employed by the Senate in each category of employment and the exact amount of each legislative employee classification compensation. Following their employment by the elected members of the Legislative Council of the Senate of the State of Alabama, all Senate employees shall be under the control and supervision of the Secretary of the Senate.

(b) The elected members of the Legislative Council of the Senate of the State of Alabama may delegate such powers and duties as herein conferred upon it to the Secretary of the Senate.

§29-4-26.

Senate pages shall be selected or appointed as provided by resolution of the Senate.

### ARTICLE 3 OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

§29-4-30.

(a) The subordinate officers of the House of Representatives consist of the Clerk of the House of Representatives and an Assistant Clerk of the House of Representatives. The Clerk of the House of Representatives shall be a full-time employee, elected as provided by law, and compensated as provided in this chapter.

(b) The Clerk of the House of Representatives, after serving in that capacity for nine successive years, shall attain continuing service status and may be removed only for cause by a vote of a majority of the members elected to the House of Representatives after 10 days' notice of the intention to vote thereon together with a written notice of the cause for such removal. The service herein provided shall begin on the date of the original election to such office, whether such original election occurred prior to May 20, 1996, or otherwise. The Clerk of the House of Representatives, after attaining continuing service status, shall not participate in political activities such as are prohibited by the Merit System Act in Section 36-26-38.

(c) The Assistant Clerk of the House of Representatives shall serve

only while the Legislature is in session. The Assistant Clerk of the House of Representatives shall be appointed by the Clerk of the House of Representatives with the approval of the Speaker of the House.

(d) Nothing herein shall prohibit the Assistant Clerk of the House of Representatives from being employed as a legislative employee when the Legislature is not in session, but in no event shall he or she be paid or receive compensation for more than one employment at any one time.

(e) The Clerk of the House of Representatives may appoint an administrative assistant. The administrative assistant to the Clerk shall serve at the pleasure of the Clerk and shall be paid from funds appropriated to the Legislature an amount fixed by the Clerk in accordance with that of comparable positions established under the State Merit System pay plan.

(f) The Clerk of the House of Representatives may employ a chief clerk who shall be a full-time employee. The chief clerk shall serve at the pleasure of the Clerk of the House of Representatives and shall be paid from funds appropriated to the Legislature an amount fixed by the Clerk of the House of Representatives in accordance with that of comparable positions established under the State Merit System pay plan.

§29-4-31.

The Speaker of the House of Representatives shall administer the oaths required to the subordinate officers of the House of Representatives.

§29-4-32.

(a) The Clerk of the House of Representatives shall receive an annual salary of such amount as has heretofore or as may hereafter be fixed by law, payable as the salaries of other state officers or employees are paid.

(b) The compensation of the Assistant Clerk of the House of Representatives shall be fixed by the Clerk of the House of Representatives.

§29-4-33.

(a) The Clerk of the House of Representatives shall not retain any of the fees charged for the sale of copies of bills introduced in the Legislature. All such fees shall be deposited in the State Treasury to the credit of the General Fund and shall be used to cover the expenses of the Legislature.

(b) The Clerk of the House of Representatives shall disclose his or her personal income in the same manner and under the same statutes as



apply to all other members of the legislative branch of government.

§29-4-34.

In addition to the duties otherwise imposed upon or required of the Clerk of the House of Representatives, he or she shall have all of the following duties:

(1) To at all times constitute an information bureau for the members of the House of Representatives and the general public insofar as it is possible to obtain the information required.

(2) To make for the House of Representatives a list, by caption or title, of all bills introduced and all bills reported by the several standing committees.

(3) To make available to each member of the House of Representatives a copy of each act passed which is printed in pamphlet form.

(4) To furnish the Legislative Reference Service, for indexing purposes, a copy of each bill enrolled.

§29-4-35.

(a) The members of the Legislative Council of the House of Representatives shall regulate, with the advice of the Clerk of the House of Representatives, the employees of the House of Representatives, except pages, and fix the exact number and compensation of employees who may be employed by the House of Representatives in each category of employment and the exact amount of each legislative employee classification compensation. Following their employment by the members of the Legislative Council of the House of Representatives, all employees of the House of Representatives shall be under the control and supervision of the Clerk of the House of Representatives.

(b) The members of the Legislative Council of the House of Representatives may delegate such powers and duties as herein conferred upon it to the Clerk of the House of Representatives.

§29-4-36.

House pages shall be appointed by the Clerk of the House of Representatives.

ARTICLE 4  
JOINT OPERATIONS

§29-4-40.

(a) Within the authority delegated by the elected members of the Legislative Council from the Senate and the members of the Legislative Council from the House of Representatives to the Secretary of the Senate and the Clerk of the House of Representatives, respectively, the Secretary of the Senate and the Clerk of the House of Representatives shall furnish to each joint committee for which staff assistance is not provided in the act creating the joint committee, the staff assistance reasonably necessary to enable the committee to perform its assigned function.

(b) Staff furnished pursuant to this section shall be compensated as other legislative staff at rates approved by the elected members of the Legislative Council of the Senate and members of the Legislative Council of the House of Representatives.

(c) For purposes of this section, staff assistance includes, but is not limited to, secretaries, consultants, and technical or professional persons.

§29-4-41.

In addition to any and all other employees authorized by this chapter, the Clerk of the House of Representatives and the Secretary of the Senate may employ word processing employees, operators, programmers, maintenance technicians, specialists, supervisors, and managers for such personnel as the Clerk of the House of Representatives and the Secretary of the Senate deem necessary.

§29-4-42.

Actions under this article requiring the approval of the elected members of the Legislative Council from the Senate and the members of the Legislative Council from the House of Representatives may be taken only if approved by both a majority vote of the elected members of the Legislative Council from the Senate and a majority vote of the members of the Legislative Council from the House of Representatives.

ARTICLE 5  
LIEUTENANT GOVERNOR

§29-4-50.

The Office of the Lieutenant Governor shall be separate and distinct from the Legislature, any state agency, entity, or official. The Lieutenant Governor may appoint, without regard to the State Merit System law, such personnel as may be necessary to carry out the duties and functions of the office. The compensation of personnel so employed shall be fixed by the Lieutenant Governor in accordance with that of comparable positions established under the State Merit System pay plan. The Lieutenant Governor may prescribe the duties and responsibilities of the personnel of the office. All personnel appointed pursuant to this section shall serve at the pleasure of the Lieutenant Governor making the appointment.

Compensation of personnel employed pursuant to this section shall be payable as the salaries of other state employees are paid. The compensation of those personnel shall be paid from funds appropriated to the Office of the Lieutenant Governor. The compensation, expense allowances, or other emoluments due those personnel shall be certified by the Lieutenant Governor to the Comptroller who shall issue a warrant therefor from funds appropriated to the Office of the Lieutenant Governor.

Business travel by the Lieutenant Governor and by the personnel of the Office of the Lieutenant Governor shall be approved by the Lieutenant Governor and shall be paid from funds appropriated to the Office of the Lieutenant Governor. The Lieutenant Governor shall have authority to purchase, lease, or contract for equipment, supplies, and services for use by the Office of the Lieutenant Governor and pay for the equipment, supplies, and services from funds appropriated to the Office of the Lieutenant Governor. For purposes of purchasing, leasing, or contracting for equipment, supplies, or services, the Office of Lieutenant Governor shall be deemed a part of the Legislative Department.

ARTICLE 6  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

§29-4-60.

The Office of the Speaker of the House of Representatives shall be separate and distinct from the Legislature, any state agency, entity, or official. The Speaker of the House of Representatives may appoint, without regard to the State Merit System law, such personnel as may be necessary to carry out the duties and functions of the office. The compensation of personnel so employed shall be fixed by the Speaker of the House of Representatives in accordance with that of comparable positions established under the State Merit System pay plan. The Speaker of the House of Representatives may prescribe the duties and responsibilities of the personnel of

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the office. All personnel appointed pursuant to this section shall serve at the pleasure of the Speaker of the House of Representatives making the appointment.

Compensation of personnel employed pursuant to this section shall be payable as the salaries of other state employees are paid. The compensation of those personnel shall be paid from funds appropriated to the Office of the Speaker of the House of Representatives. The compensation, expense allowances, or other emoluments due those personnel shall be certified by the Speaker of the House of Representatives to the Comptroller who shall issue a warrant therefor from funds appropriated to the Office of the Speaker of the House of Representatives.

Business travel by the Speaker of the House of Representatives and by the personnel of the Office of the Speaker of the House of Representatives shall be approved by the Speaker of the House of Representatives and shall be paid from funds appropriated to the Office of the Speaker of the House of Representatives. The Speaker of the House of Representatives shall have authority to purchase, lease, or contract for equipment, supplies, and services for use by the Office of the Speaker of the House of Representatives and pay for the equipment, supplies, and services from funds appropriated to the Office of the Speaker of the House of Representatives.

Section 4. Sections 29-2-7, 29-2-21, and 29-2-53 of the Code of Alabama 1975 are repealed.

Section 5. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-34

Nays:

- 0

And said Bill, HB 44, as thus amended, was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Hale requested and received permission to suspend the Rules in order to bring up the Bill, HB 68.

Senator Hale, B.I.R., HB 68, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 68.** To require all state entities to notify the Office of Attorney General whenever any legal action is initiated against the entity; to require these entities to notify the Joint Fiscal Committee and the Legislative Fiscal Office whenever a legal action is instituted against the entity concerning the budget process or a revenue source; and to require these entities to notify the Legislative Council and Legislative Reference Service whenever a legal action is instituted against the entity concerning joint legislative operations.

was taken up.

The Standing Committee on Fiscal Responsibility and Accountability reported the following substitute for the Bill, HB 68, to-wit:

**SUBSTITUTE FOR HB 68**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require certain state entities to notify the Office of Attorney General whenever any legal action is initiated against the entity, to require certain record maintenance, and to specify certain settlement requirements; to require these entities to notify the Joint Fiscal Committee and the Legislative Fiscal Office whenever a legal action is instituted against the entity concerning the budget process or a revenue source; and to require these entities to notify the Legislative Council and Legislative Reference Service whenever a legal action is instituted against the entity concerning joint legislative operations.

On motion of Senator Hale, said substitute was laid on the table.

Senator Hale then offered the following substitute for the Bill, HB 68, to-wit:

**SUBSTITUTE FOR HB 68**

**A BILL  
TO BE ENTITLED  
AN ACT**

To require all state entities to notify the Office of Attorney General whenever any legal action is initiated against the entity; to permit the board of trustees of a four-year institution of higher education to bring and settle certain civil actions and employ counsel without the prior approval of the Attorney General; to require these entities to notify the Joint Fiscal Committee and the Legislative Fiscal Office whenever a legal action is instituted against the entity concerning the budget process or a revenue source; and to require these entities to notify the Legislative Council and Legislative Reference Service whenever a legal action is instituted against the entity concerning joint legislative operations.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. (a) Any laws to the contrary notwithstanding, whenever any litigation is instituted against any state department, division, board, bureau, commission, agency, institution, officer, or employee, such entity

shall promptly notify the Office of the Attorney General of the action. This notification shall include a description of the controversy, the relief sought, and other information the Attorney General deems necessary.

(b) This information shall be maintained in a central location within the Office of the Attorney General. This material shall be organized in a manner so that all of the following information may be ascertained:

(1) The number of lawsuits pending against the state categorized by department.

(2) The nature of each lawsuit.

(3) The measure of relief sought.

(4) Information necessary to maintain a comprehensive information system concerning such litigation, as determined by the Attorney General.

(c) Any law to the contrary notwithstanding, including, but not limited to, Chapter 15, commencing with Section 36-15-1, of Title 36 of the Code of Alabama 1975, the board of trustees of any public four-year institution of higher education may bring any civil action deemed necessary to promote, protect, and provide for the maintenance and operation of the institution, as well as any civil action considered by the board of trustees to be in the best interest of the institution. The board of trustees of such an institution may settle any civil action brought by it without the approval of the Attorney General. In order to effectuate the authority of a board of trustees to bring a civil action as set forth in this subsection, the board may employ its own counsel to represent its interests in any litigation brought by the board.

Section 2. (a) For the purposes of this section, the following terms have the following meanings:

(1) **BUDGET PROCESS.** The entire process by which funds are appropriated and expended, including, but not limited to, revenue estimating, legislative budget hearings, appropriations, allotment, and expenditure of funds.

(2) **REVENUE SOURCES.** Any receipt of funds by the state, including, but not limited to, tax receipts, fee receipts, transfers, interest income, transfers between state agencies or funds, or gifts or grants from other instrumentalities.

(b) In addition to the reporting requirement in Section 1, whenever such litigation concerns the budget process or any revenue source, the state official who is a party to the litigation shall promptly notify the Chair of the Joint Fiscal Committee and the Director of the Legislative Fiscal Office.

(c) A state official who is a party to any litigation shall use his or her discretion in notifying the Joint Fiscal Committee and the Legislative Fiscal Office to the extent that frivolous matters or suits without merit are not required to be reported.

Section 3. (a) For the purposes of this section, "joint legislative operations" means those activities, responsibilities, and procedures of the Legislature as an institution of government including, but not limited to, activities, responsibilities, and procedures involving the enactment and codification of legislation, the process by which administrative regulations are adopted, relations with the other branches of government, and internal operations of the Legislature as a whole including, but not limited to, joint rules, legislative compensation, and joint activities of the two houses. The term does not include activities, responsibilities, or procedures involving only one house of the Legislature, such as matters relating to the rules, liabilities, or employees of the particular house.

(b) In addition to the reporting requirement in Section 1, whenever such litigation concerns joint legislative operations, the state official who is a party to the litigation shall promptly notify the Chair of the Legislative Council and the Director of the Legislative Reference Service.

(c) A state official who is a party to any litigation shall use his or her discretion in notifying the Legislative Council and the Legislative Reference Service to the extent that frivolous matters or suits without merit are not required to be reported.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

Which was adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill,



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Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

And said Bill, HB 68, as thus amended, was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Dixon requested and received permission to suspend the Rules in order to bring up the Bill, HB 680.

Senator Dixon, B.I.R., HB 680, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 680.** Authorizing the State Board of Health to develop a program relating to indoor lead hazard reduction, authorizing the establishment of certain fee schedules and the disposition of fees levied, authorizing the State Health Officer to conduct certain investigations relating to lead hazard reduction and granting immunity from certain liability, requiring the

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certification of persons engaged in lead hazard removal activities and the regulation of such activity, designating Safe State as the state accreditation agency and specifying the powers and duties of Safe State, specifying criminal penalties for failure to be properly certified or to comply with certain lead hazard removal procedures, permitting state or local health officers to seek injunctive relief, creating and providing for a special fund and making an appropriation from the fund for fiscal years ending September 30, 1997, and September 30, 1998, and providing for a prospective effective date.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill, HB 738.

Senator Bedford, B.I.R., HB 738, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 738.** To amend Section 36-26-35, Code of Alabama 1975, relating to the accrual of annual leave by state employees, to provide fur-

ther for the leave accrued by law enforcement officers in the Department of Public Safety.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-34

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Butler requested and received permission to suspend the Rules in order to bring up the Bill, HB 625.

Senator Butler, B.I.R., HB 625, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-34

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 625.** To authorize registered nurses employed by the State Health Department or county health departments to dispense legend drugs under the supervision of a physician and a pharmacist pursuant to procedures established by the State Board of Pharmacy; and for this purpose to amend Section 34-23-11 of the Code of Alabama 1975.

was read a third time at length and passed.

Yeas 34 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Butler then requested and received permission to suspend the Rules in order to bring up the Bill, HB 640.

Senator Butler, B.I.R., HB 640, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 640.** To amend Sections 40-23-1, as amended by Act 96-887, 1996 Regular Session, 40-23-4, as amended by Act 96-544, 1996 Regular Session, 40-23-60, Code of Alabama 1975, and 40-23-62, as amended by Act 96-544, 1996 Regular Session, to specifically include canned computer software into the definitions of "sales" and "purchase"; to define canned computer software to make it subject to sales tax and use tax; and to exempt computer software for use in research and experimentation from sales and use taxes.

was taken up.

Senator Butler offered the following amendment to the Bill, HB 640, to-wit:

AMENDMENT TO HB 640

On page 9, lines 10 to 14, inclusive, delete all the language and insert in lieu thereof the following:

“1. A sale to, or withdrawal from inventory by, a computer software producer or provider, of computer software, including the media used to store computer programs, and materials, printed or otherwise, used in producing, packaging, or marketing computer software for sale;”

On page 35, lines 12 to 16, inclusive, delete all the language and insert in lieu thereof the following:

“1. A purchase or withdrawal from inventory by a computer software producer or provider, of computer software, including the media used to store computer programs, and materials, printed or otherwise used in producing, packaging, or marketing computer software for sale;”

On page 52, lines 5 to 8, inclusive, delete all the language.

On page 52, after line 22, insert the following:

“(35) Computer software used in research and experimentation as that term is defined in Section 174 of the Internal Revenue Code of 1986, and the regulations issued pursuant thereto.”

Which was adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-34

Nays:

- 0

And said Bill, HB 640, as thus amended, was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, HB 569.

Senator Windom B.I.R., HB 569, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 569.** To amend Section 5-3A-1 of the Code of Alabama 1975, relating to the duties of the Superintendent of the State Banking Department concerning banks organized under the laws of this state, to further provide for the time period for examinations of the banks.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Biddle requested and received permission to suspend the Rules in order to bring up the Bill, HB 74.

Senator Biddle, B.I.R., HB 74, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 74.** To amend Sections 32-6-18 and 32-6-19 of the Code of Alabama 1975, relating to punishment for traffic violations; to impose an additional penalty of \$50 on any person found guilty of driving a motor vehicle with a revoked, suspended, or cancelled driver's license or without a driver's license; to provide that the additional penalty minus a five percent administrative charge be allocated to the Traffic Safety Trust Fund in the State Treasury; and to provide that the Traffic Safety Section of the Alabama Department of Economic and Community Affairs administer the proceeds.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Clay requested and received permission to suspend the Rules in order to bring up the Bill, HB 375.

Senator Clay, B.I.R., HB 375, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 375.** To provide for the Uniform Multiple-Person Accounts Act; to define terms; to specify accounts applicable; to specify forms; to provide for the designation of an agent; to specify application; to provide for ownership between parties and others; to specify rights at death and the alteration of rights; to provide that accounts and transfers are nontestamentary; to express rights of creditors and others; to specify authority of financial institutions, the payment on multiple-party accounts, the payment on a POD designation, the payment to a designated agent and a minor, and for discharge and setoff; and to provide for a short title, construction, application of principles of law, transitional provisions and a delayed effective date.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0



**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Cosmetology Board.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Shirleen Marchman of Birmingham, Alabama, to serve as a member of the Alabama Cosmetology Board, effective May 19, 1997. The term of office will expire on May 18, 1998.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Cosmetology Board, was read and referred to the Standing Committee on Confirmations.

**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Cosmetology Board.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Hubert White of Hillsboro, Alabama, to serve as a member of the Alabama Cosmetology Board, effective May 19, 1997. The term of office will expire on May 18, 2001.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Cosmetology Board, was read and referred to the Standing Committee on Confirmations.

**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Cosmetology Board.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Lora Hill of Opelika, Alabama, to serve as a member of the Alabama Cosmetology Board, effective May 19, 1997. The term of office will expire on May 18, 2000.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Cosmetology Board, was read and referred to the Standing Committee on Confirmations.

**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Cosmetology Board.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Vivian Stewart of Opp, Alabama, to serve as a member of the Alabama Cosmetology Board, effective May 19, 1997. The term of office will expire on May 18, 2001.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Cosmetology Board, was read and referred to the Standing Committee on Confirmations.

**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Cosmetology Board.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Paula Jones of Mobile, Alabama to serve as a member of the Alabama Cosmetology Board, effective May 19, 1997. The term of office will expire on May 18, 1999.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Cosmetology Board, was read and referred to the Standing Committee on Confirmations.

**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Cosmetology Board.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Charles Preston of Birmingham, Alabama to serve as a member of the Alabama Cosmetology Board, effective May 19, 1997. The term of office will expire on May 18, 1999.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Cosmetology Board, was read and referred to the Standing Committee on Confirmations.

**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Alabama Cosmetology Board.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Joyce Duncan of Huntsville, Alabama to serve as a member of the Alabama Cosmetology Board, effective May 19, 1997. The term of office will expire on May 18, 2000.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Cosmetology Board, was read and referred to the Standing Committee on Confirmations.

**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Social Studies State Courses of Study Committee.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Ike Espy of Tuscaloosa, Alabama to serve as a member of the Social Studies State Courses of Study Committee, effective May 14, 1997. The term of office will expire on March 6, 1998.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Social Studies State Courses of Study Committee, was read and referred to the Standing Committee on Confirmations.



**MESSAGE FROM THE GOVERNOR**

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to the Social Studies State Courses of Study Committee.

Respectfully submitted,

JAMES SASSER,  
Executive Secretary.

Done this 16th day of May, 1997.

May 16, 1997

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have appointed, upon your confirmation, Amelia Moore of Montgomery, Alabama to serve as a member of the Social Studies State Courses of Study Committee, effective May 13, 1997. The term of office will expire on March 6, 1998.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

Done this 16th day of May, 1997.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Social Studies State Courses of Study Committee, was read and referred to the Standing Committee on Confirmations.

**FURTHER CONSIDERATION OF HB 9**

The Senate proceeded to further consideration of the Bill:

**HB 9.** Relating to child mortality; concerning efforts to identify deaths which may be from child abuse or neglect or other causes; relating to obtaining and maintaining statistics on child mortality within the state; providing services to surviving family members; developing and implementing measures to aid in reducing the risk and incidence of future child injury and death; establishing the State Child Death Review Team and local teams; establishing policies and procedures as are necessary for the operation of the State Child Death Review Team and the local teams; and making an appropriation from the State General Fund to the Alabama Department of Public Health in the amount of \$250,000 for the fiscal year ending September 30, 1997 and \$250,000 for the fiscal year ending September 30, 1998 to be used for the implementation of the provisions of this bill.

having been postponed on the Twenty-Ninth Legislative Day.

On motion of Senator Freeman, the Rules were suspended and further consideration of the Bill, HB 9, was postponed subject to the call of the Chair.

### **BUDGET ISOLATION RESOLUTION**

Senator Freeman requested and received permission to suspend the Rules in order to bring up the Bill, HB 216.

Senator Freeman, B.I.R., HB 216, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-34

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 216.** To provide for a FY 1996-97 supplemental General Fund appropriation in the amount of \$15,853,165 to various state agencies; to provide for a FY 1996-97 supplemental appropriation to the Office of the Attorney General from the Attorney General Special Revenue Fund in the amount of \$700,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Corrections from the Corrections Special Revenue Fund in the amount of \$7,800,000; to provide for a FY 1996-97

supplemental appropriation to the Department of Finance from the Data Center Revolving Fund in the amount of \$8,000,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Forensic Sciences from the Chemical Test Fund in the amount of \$800,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Licensure for Professional Geologists from the Board of Licensure for Professional Geologists Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Polygraph Examiners from the Board of Polygraph Examiners Fund in the amount of \$5,000; to provide for a FY 1996-97 supplemental appropriation to the University of Alabama at Birmingham School of Optometry from the University of Alabama at Birmingham School of Optometry Fund in the amount of \$36,464; and to provide for an effective date.

was taken up.

The Standing Committee on Economic Expansion and Trade reported the following substitute for the Bill, HB 216, to-wit:

### **SUBSTITUTE FOR HB 216**

#### **A BILL TO BE ENTITLED AN ACT**

To provide for a FY 1996-97 supplemental General Fund appropriation in the amount of \$2,770,100 to various state agencies; to provide for a FY 1996-97 supplemental appropriation to the Office of the Attorney General from the Attorney General Special Revenue Fund in the amount of \$700,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Corrections from the Corrections Special Revenue Fund in the amount of \$7,800,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Finance from the Data Center Revolving Fund in the amount of \$8,000,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Forensic Sciences from the Chemical Test Fund in the amount of \$800,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Licensure for Professional Geologists from the Board of Licensure for Professional Geologists Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Polygraph Examiners from the Board of Polygraph Examiners Fund in the amount of \$5,000; to provide for a FY 1996-97 supplemental appropriation to the University of Alabama at Birmingham School of Optometry from the University of Alabama at Birmingham School of Optometry Fund in the amount of \$36,464; to provide for a FY 1996-97

supplemental appropriation to the Alabama State Board of Veterinary Medical Examiners from the State Board of Veterinary Medical Examiners Fund in the amount of \$50,000; and to provide for an effective date.

On motion of Senator Freeman, said substitute was laid on the table.

Senator Freeman then offered the following substitute for the Bill, HB 216, to-wit:

### **SUBSTITUTE FOR HB 216**

#### **A BILL TO BE ENTITLED AN ACT**

To provide for a FY 1996-97 supplemental General Fund appropriation in the amount of \$8,023,165 to various state agencies; to provide for a FY 1996-97 supplemental appropriation to the Office of the Attorney General from the Attorney General Special Revenue Fund in the amount of \$700,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Corrections from the Corrections Special Revenue Fund in the amount of \$7,800,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Finance from the Data Center Revolving Fund in the amount of \$8,000,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Forensic Sciences from the Chemical Test Fund in the amount of \$800,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Licensure for Professional Geologists from the Board of Licensure for Professional Geologists Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Polygraph Examiners from the Board of Polygraph Examiners Fund in the amount of \$5,000; to provide for a FY 1996-97 supplemental appropriation to the University of Alabama at Birmingham School of Optometry from the University of Alabama at Birmingham School of Optometry Fund in the amount of \$36,464; to provide for a FY 1996-97 supplemental appropriation to the Board of Veterinary Medical Examiners from the Veterinary Medical Examiners Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Public Safety from the Public Safety Law Enforcement Fund in the amount of \$1,300,000; to provide for a FY 1996-97 supplemental appropriation to the Alabama Board for Registration for Architects from the Board for Registration of Architects Fund in the amount of \$100,000; to clarify language in Act 96-819, the General Fund Appropriations Act, relating to the Department of Human Resources; and to provide for an effective date.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

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Section 1. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated to the following agencies the following amounts from the State General Fund for the fiscal year ending September 30, 1997:

Commission on Aging - Medicaid Waiver .....	600,000
Department of Agriculture and Industries .....	800,000
Of the above appropriation, at least \$267,000 is appropriated to reroof the Richard Beard Building.	
State Auditor .....	150,000
Alabama Development Office .....	1,500,000
The above appropriation to the Alabama Development Office shall be used exclusively for promotional activities and may not be used for operations and maintenance expenditures of the agency.	
Geological Survey .....	325,000
Military Department .....	250,000
Oil and Gas Board .....	335,100
Secretary of State .....	30,000
Historical Commission .....	360,000
Department of Youth Services .....	3,000,000
Of the above appropriation, \$300,000 shall be used for the Wilderness Program and \$500,000 shall be used for the Environmental Youth Corps Program in Mobile County.	
Supreme Court Library .....	193,465
Department of Archives and History .....	154,600
Massage Therapy Board .....	25,000
The above appropriation to the Massage Therapy Board shall be repaid to the State General Fund by March 31, 1998.	
Department of Veterans' Affairs .....	300,000
The above appropriation to the Department of Veterans' Affairs shall be used exclusively for field service officers and for other support personnel in the county service areas.	

Section 2. The appropriation made from the State General Fund to the Department of Human Resources in Section 2C.(85) of the General Fund Appropriation Act, Act 96-819 of the Regular Session of 1996, which

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provided that \$200,000 be expended for Adult Day Care, shall be expended for Adult Day Care at the Family Guidance Center.

Section 3. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$700,000 to the Office of the Attorney General from the Attorney General Special Revenue Fund for the fiscal year ending September 30, 1997.

Section 4. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$7,800,000 to the Department of Corrections from the Corrections Special Revenue Fund for the fiscal year ending September 30, 1997.

Section 5. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$8,000,000 to the Department of Finance from the Data Center Revolving Fund for the fiscal year ending September 30, 1997, for upgrading computers to accommodate the Year 2000 conversion.

Section 6. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$800,000 to the Department of Forensic Sciences from the Chemical Test Fund for the fiscal year ending September 30, 1997.

Section 7. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$50,000 to the Board of Licensure for Professional Geologists from the Board of Licensure for Professional Geologists Fund for the fiscal year ending September 30, 1997 to be used to reimburse the Departmental Emergency Fund.

Section 8. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$5,000 to the Board of Polygraph Examiners from the Board of Polygraph Examiners Fund for the fiscal year ending September 30, 1997.

Section 9. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$36,464 to the University of Alabama at Birmingham School of Optometry from the University of Alabama at Birmingham School of Optometry Fund for the fiscal year ending September 30, 1997, to be expended in accordance with Section 34-22-24, Code of Alabama 1975.

Section 10. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$50,000 to the Veterinary Medical Examiners Board from the Board of Veterinary Medical Examiners Fund for the fiscal year ending September 30, 1997.

Section 11. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$1,300,000 to the Department of Public Safety from the Public Safety Law Enforcement Fund for the fiscal year ending September 30, 1997.

Section 12. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$100,000 to the Alabama Board for Registration for Architects from the Board for Registration of Architects Fund for the fiscal year ending September 30, 1997.

Section 13. All laws or parts of laws which conflict with this act are hereby repealed.

Section 14. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Senator Bedford offered the following amendment to the substitute, for the Bill, HB 216, to-wit:

**AMENDMENT TO SUBSTITUTE FOR HB 216**

Amend the substitute for HB 216 on page 4, after line 21 by inserting the following:

“No portion of the above appropriation to the State Auditor shall be used to hire additional personnel above those employed May 1, 1997.”

Further amend on page 6, line 12, after the period by inserting the following:

“No portion of the appropriation made in this section shall be utilized to hire additional personnel above the level employed on May 1, 1997.”

Which was adopted.

Senator Bailey offered the following amendment to the substitute, as amended, for the Bill, HB 216, to-wit:

**AMENDMENT TO SUBSTITUTE,  
AS AMENDED, FOR HB 216**

Amend the substitute, as amended, for HB 216 on page 8 after line 10 by adding the following Section 13 and renumbering the remaining Sections accordingly:

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“Section 13. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated the amount of \$1,000,000 from the funds provided to the Department of Human Resources in Act 96-785 to be used to provide a 14% foster care payment increase.”

On motion of Senator Freeman, said amendment was laid on the table.

And said substitute, as thus amended, was then adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

And said Bill, HB 216, as thus amended, was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### **BILL RECONSIDERED**

On motion of Senator Freeman, the Senate reconsidered the vote by which the Bill, HB 117, was passed.

On motion of Senator Freeman, the Rules were suspended and further consideration of the Bill, HB 117, was postponed subject to the call of the Chair.

### **BUDGET ISOLATION RESOLUTION**

Senator Freeman requested and received permission to suspend the



Rules in order to bring up the Bill, HB 797.

Senator Freeman, B.I.R., HB 797, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

#### **THE BILL:**

**HB 797.** To make an appropriation of \$100,000 from the State General Fund to the Alabama Child Caring Program for the Alabama Caring Program for Children, for the fiscal year ending September 30, 1997, and to require an operations plan within one month after the effective date of this act.

was taken up.

On motion of Senator Freeman, the Rules were suspended and further consideration of the Bill, HB 797, was postponed subject to the call of the Chair.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

**HB 98.** To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for debt service, and for capital outlay for the fiscal year ending September 30, 1998.

said Conference Report being in words and figures as follows:

**REPORT OF CONFERENCE COMMITTEE ON HB 98**

We, the Committee on Conference, appointed to reconcile the differences of the two Houses concerning HB 98, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

BILL FULLER,  
JOHNNY CURRY,  
JOHN KNIGHT,

Conferees on the part of the House.

DEWAYNE FREEMAN,  
WENDELL MITCHELL,  
JACK BIDDLE,

Conferees on the part of the Senate.

**CONFERENCE COMMITTEE SUBSTITUTE FOR HB 98**

A BILL  
TO BE ENTITLED  
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for debt service, and for capital outlay for the fiscal year ending September 30, 1998.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

**SECTION 1.** The monies in Section 2 are appropriated from the named funds for the 1997-98 fiscal year to the state agencies indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the totals for all programs are shown by the source of funds. It is intended that only the herein named funds be appropriated in the amounts specified to the named agencies and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to achieve a specific objective. A program shall be directed to meeting the need of an identified clientele, or group of recipients or beneficiaries, and shall be expended only for such purposes.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on bonded debt obligations of the State, and shall be expended only for such purposes.

(e) "Federal and Local Funds" shall mean all gifts, grants, contributions, or entitlements, including grants by the Congress of the United States, municipalities or counties.

**SECTION 2.** There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial agencies of the State, for other functions of government, for debt service, and for capital outlay for the fiscal year ending September 30, 1998, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included  
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
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**2A. LEGISLATIVE:**  
**1. EXAMINERS OF PUBLIC**  
**ACCOUNTS, DEPART-**  
**MENT OF:**

(a) Legislative Support-Audit Services Program .....	12,586,493
SOURCE OF FUNDS:	
(1) State General Fund .....	11,086,493

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
(2) Federal and Local Funds.....		1,500,000	
Total Department of Exami- ners of Public Accounts.....	11,086,493	1,500,000	12,586,493
The Department of Exami- ners of Public Accounts is hereby authorized to examine as deemed necessary all ap- propriations herein made for compliance with the laws of the State of Alabama. Any ex- amination performed shall be in accordance with the provi- sions of Title 41, Chapter 5, Code of Alabama 1975.			
<b>2. LAW INSTITUTE, ALA- BAMA:</b>			
(a) Support of Other Educational Activities Program .....			367,571
SOURCE OF FUNDS:			
(1) State General Fund .....	367,571		
Total Alabama Law In- stitute .....	367,571		367,571
<b>3. LEGISLATIVE COUNCIL:</b>			
(a) Legislative Operations and Support Program .....			292,055
SOURCE OF FUNDS:			
(1) State General Fund .....	292,055		
Pursuant to Sections 29- 6-1 et seq., Code of Ala- bama 1975.			
Total Legislative Council ..	292,055		292,055
<b>4. LEGISLATIVE FISCAL OFFICE:</b>			
(a) Legislative Operations and Support Program .....			1,293,639
SOURCE OF FUNDS:			
(1) State General Fund .....	1,293,639		
Total Legislative Fiscal Office .....	1,293,639		1,293,639

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		Fund Sources Included <u>In Appropriation Total</u>	
		General Fund	Earmarked Funds
		Appropriation Total	
<b>5.</b>	<b>LEGISLATIVE REF- ERENCE SERVICE:</b>		
	(a) Legislative Operations and Support Program .....		2,036,954
	SOURCE OF FUNDS:		
	(1) State General Fund .....	2,036,954	
	Total Legislative Reference Service .....	2,036,954	2,036,954
<b>6.</b>	<b>LEGISLATURE:</b>		
	(a) Legislative Operations and Support Program .....		15,915,887
	The appropriation to the Legislature shall be ex- pended under the provisions set forth in Section 29-1-22, Code of Alabama 1975. It is the intent of the Legisla- ture that (1) at least \$35,000 shall be allocated for each of the following committees: Senate Finance and Taxa- tion-Education Committee, the Office of the Senate Pro Tempore, the Senate Com- mittee on Economic Expan- sion and Trade, the Senate Rules Committee, the House Judiciary Committee, the Senate Judiciary Committee, the Office of the House Pro Tempore, and the House Rules Committee; (2) \$95,000 shall be allocated to the House Ways and Means Committee; (3) an amount not to exceed \$50,000 shall be allocated to the office of the Speaker of the House of Representatives; (4) \$25,000 shall be allocated to the Sen- ate Floor Leader's Office; (5) an amount not to exceed \$50,000 shall be allocated to the office of the Presiding		

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Fund Sources Included In Appropriation Total		
General Fund	Earmarked Funds	Appropriation Total
<p>Officer of the Senate; (6) \$7,000 shall be allocated to the Permanent Municipal Government Committee as require by Sections 29-2-60 through 29-2-62, Code of Alabama 1975; and (7) at least \$300,000 shall be allocated for the Permanent Legislative Committee on reapportionment. The appropriation to the Legislature shall be expended under the provisions set forth in Section 29-1-22, Code of Alabama 1975.</p>		
(b) Office of the Speaker of the House of Representatives..		627,000
SOURCE OF FUNDS:		
(1) State General Fund.....	16,542,887	
Total Legislature.....	16,542,887	16,542,887
<p>Of the above appropriation from the State General Fund the amount of \$30,834 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regular Session becoming Acts.</p>		

**2B. JUDICIAL:**

**1. COURT OF CIVIL APPEALS:**

(a) Court Operations Program ..		3,063,997
SOURCE OF FUNDS:		
(1) State General Fund.....	3,063,997	
Total Court of Civil Appeals .....	3,063,997	3,063,997
<p>Of the above appropriation from the State General Fund the amount of \$33,624 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regular Session becoming Acts.</p>		

**2. COURT OF CRIMINAL**

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Fund Sources Included  
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
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**APPEALS:**

(a) Court Operations Program ..		3,201,947
SOURCE OF FUNDS:		
(1) State General Fund .....	3,201,947	
Total Court of Criminal Ap- peals .....	3,201,947	3,201,947
Of the above appropriation from the State General Fund the amount of \$32,010 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regu- lar Session becoming Acts.		

**3. JUDICIAL INQUIRY COM-  
MISSION:**

(a) Administrative Services Program .....		211,560
SOURCE OF FUNDS:		
(1) State General Fund .....	211,560	
Total Judicial Inquiry Com- mission .....	211,560	211,560
Of the above appropriation from the State General Fund the amount of \$1,149 is con- ditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regular Session becoming Acts.		

**4. JUDICIAL RETIREMENT  
FUND:**

(a) Retirement Systems Pro- gram .....		1,449,000
SOURCE OF FUNDS:		
(1) State General Fund .....	1,449,000	
Total Judicial Retirement Fund .....	1,449,000	1,449,000

**5. SUPREME COURT:**

(a) Court Operations Program ..		6,246,189
SOURCE OF FUNDS:		
(1) State General Fund .....	6,246,189	

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Fund Sources Included In Appropriation Total			
	General Fund	Earmarked Funds	Appropriation Total
Total Supreme Court .....	6,246,189		6,246,189
Of the above appropriation from the State General Fund the amount of \$61,653 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regu- lar Session becoming Acts. Of the above appropriation to the Supreme Court, the sum of \$125,000 shall be used to fund the Alabama Supreme Court Commission on Dispute Resolution.			
<b>6. SUPREME COURT LI- BRARY:</b>			
(a) Court Operations - Library Service Program .....			1,360,022
SOURCE OF FUNDS:			
(1) State General Fund .....	1,360,022		
Total Supreme Court Library .....	1,360,022		1,360,022
Of the above appropriation from the State General Fund the amount of \$4,602 is con- ditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regular Session becoming Acts.			
<b>7. UNIFIED JUDICIAL SYSTEM:</b>			
(Administrative Office of Courts)			
(a) Court Operations Program ..			91,118,082
(b) Administrative Services Program .....			3,513,541
(c) DUI Referral Program .....			65,092
(d) Fringe Benefit Program, Estimated .....			545,000
(e) Court Equipment and Court Security Program .....			921,704
(f) Judicial Building Operations Program .....			3,984,869
SOURCE OF FUNDS:			
(1) State General Fund .....	94,924,003		
(2) State General Fund-So-			



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	Fund Sources Included <u>In Appropriation Total</u>		
	General Fund	Earmarked Funds	Appropriation Total
cial Security-County Judicial, Estimated .....	545,000		
(3) State General Fund Transfer-Juvenile Justice Coordinating Council ....	20,000		
In accordance with Section 12-15-131, Code of Alabama 1975.			
(4) State General Fund Transfer-Juvenile Justice Coordinating Council in St. Clair County .....	50,000		
(5) Court Referral Officer Fund .....		2,280,460	
In accordance with Sections 12-23-1 through 12-23-19, Code of Alabama 1975.			
(6) Juvenile Justice Coordinating Council Fund .....		4,195	
(7) Court Automation Fund .....		1,124,630	
In accordance with Section 12-19-180, Code of Alabama 1975.			
(8) Federal Funds .....		1,200,000	
Total Unified Judicial System .....	95,539,003	4,609,285	100,148,288

Of the above appropriation from the State Genral Fund the amount of \$567,936 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regular Session becoming Acts. The above appropriation to the Court Operations Program includes the amount necessary to pay the cost of the court reporters' pay increase authorized by Act 97-261. In addition to the above appropriation, there is hereby conditionally appropriated \$500,000 to the Unified Judicial System for Juvenile Courts from the State

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
General Fund to be conditioned upon the availability of funds in the State General Fund, the recommendation of the Director of Finance, and the approval of the Governor.				
2C.	EXECUTIVE:			
1.	ACADEMY OF HONOR, ALABAMA:			
	(a) Historical Resources Management Program .....			5,000
	SOURCE OF FUNDS:			
	(1) State General Fund.....	5,000		
	As provided in Section 41-11-6, Code of Alabama 1975, and an additional amount.			
	Total Alabama Academy of Honor .....	5,000		5,000
2.	ACCOUNTANCY, ALABAMA STATE BOARD OF PUBLIC:			
	(a) Professional and Occupational Licensing and Regulation Program .....			712,000
	SOURCE OF FUNDS:			
	(1) Alabama State Board of Public Accountancy Fund .....		712,000	
	As provided in Section 34-1-22, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or withdrawn by			

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	Fund Sources Included <u>In Appropriation Total</u>		
	General Fund	Earmarked Funds	Appropriation Total
request of applicant.			
Total Alabama State Board of Public Accountancy .....		712,000	712,000

**3. ADJUSTMENT, BOARD OF:**

(a) Special Services Program..		841,420
SOURCE OF FUNDS:		
(1) State General Fund,		
Estimated .....	833,020	
For expenditures as pro- vided in Sections 31-3-2 and 36-30-2, Code of Alabama 1975, and for payment of claims against voided warrants.		
(2) State General Fund-Ad- ministrative Costs .....	8,400	
As provided by Section 41-9-73, Code of Ala- bama 1975.		
Total Board of Adjustment ..	841,420	841,420

**4. AERONAUTICS, DEPART-  
MENT OF:**

(a) Aeronautical Administration Program .....		579,033
(b) Airport Improvement Pro- gram, Estimated .....		375,000
To be used only as grants awarded by the Alabama Aeronautics Commission for the general promotion, ad- vancement, education and safety of aeronautics and for the improvement of airports or other aeronautical facili- ties in the State of Alabama.		
(c) Civil Air Patrol Program ...		75,000
SOURCE OF FUNDS:		
(1) State General Fund-Civil Air Patrol Program .....	75,000	
(2) Airports Development Fund-Aviation Fuel Tax .....		889,033
As provided by Section		

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
4-2-42, Code of Alabama 1975.				
(3) Airports Development Fund-Federal Funds ....			65,000	
Total Department of Aero- nautics .....		75,000	954,033	1,029,033
<b>5. AGING, COMMISSION ON:</b>				
(a) Planning and Advocacy for the Elderly Program .....				19,225,192
(b) Economic Assistance Pro- gram .....				10,624,390
SOURCE OF FUNDS:				
(1) State General Fund .....	2,336,904			
(2) State General Fund- Medicaid Waiver .....	3,356,673			
(3) Federal and Local Funds .....			24,156,005	
Total Commission on Aging .....	5,693,577	24,156,005		29,849,582
The Commission on Aging shall contract with the exist- ing Regional Planning Com- missions or Councils of Lo- cal Governments and/or Area Agencies on Aging to provide services for one- third of the state's present and future client slots for the program known as the "Medicaid Waiver Services Program-Home and Commu- nity-Based Waiver for the Elderly and Disabled." The Commission on Aging shall not withdraw Area Agency on Aging designations or al- ter the funding relationships with existing Area Agencies on Aging and Regional Plan- ning Development Commis- sions or Councils of Local Governments without the approval of the Board of Di- rectors of the Alabama Com- mission on Aging and com-				

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total

plying with all federal and state statutory and regulatory requirements.

**6. AGRICULTURAL AND CONSERVATION DEVELOPMENT COMMISSION:**

(a) Water Resource Development Program .....			2,201,902
SOURCE OF FUNDS:			
(1) State General Fund-Transfer .....	2,126,902		
(2) Alabama Agricultural and Conservation Development Commission Revolving Fund .....		75,000	
As provided in Section 9-8A-4.1, Code of Alabama 1975.			
Total Agricultural and Conservation Development Commission .....	2,126,902	75,000	2,201,902

**7. AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION, ALABAMA:**

(a) Agricultural Development Services Program .....			35,050
SOURCE OF FUNDS:			
(1) State General Fund .....	35,050		
Total Alabama Agricultural and Industrial Exhibit Commission .....	35,050		35,050

**8. AGRICULTURAL CENTER BOARD:**

(a) Agricultural Development Services Program .....			1,300,974
SOURCE OF FUNDS:			
(1) State General Fund .....	164,963		
For expense and awarding of prizes for fairs as provided in Section 2-7-21, Code of Alabama			

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
1975, and other live- stock shows and exhib- its and other activities.				
(2) State General Fund-Op- erations .....	394,646			
(3) State General Fund- Livestock Coliseum .....	282,365			
(4) Livestock Coliseum Fund .....			459,000	
Total Agricultural Center Board .....	841,974		459,000	1,300,974
<b>9. AGRICULTURAL MUSEUM BOARD, ALABAMA:</b>				
(a) Agricultural Promotional Program .....				135,000
SOURCE OF FUNDS:				
(1) State General Fund .....	135,000			
Total Alabama Agricultural Museum Board .....	135,000			135,000
It is the intent of the Legis- lature that the appropriation made hereinabove to the Alabama Agricultural Mu- seum Board may be used for Capital Outlay purposes by the Board.				
<b>10. AGRICULTURE AND INDUS- TRIES, DEPARTMENT OF:</b>				
(a) Administrative Services Program .....				3,002,495
Of the above appropriation, \$130,000 shall be trans- ferred to the Alabama Aquaculture Center in Gadsden and \$50,000 shall be expended for the Blount/ Oneonta Agriculture Center and \$150,000 shall be ex- pended by the State Clima- tologist.				
(b) Agricultural Inspection Services Program .....				13,547,254
Of the above appropriation,				

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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
<p>\$2,200,000 shall be allocated to the Boll Weevil Eradication Program and for other agricultural research and \$100,000 shall be allocated for fire ant eradication/ research at the Department of Entomology at Auburn University. The spending plan for the Boll Weevil Eradication Program appropriation must receive approval of the Legislative Council before any money is expended. In addition to the above appropriation for the Boll Weevil Eradication Program, there is hereby appropriated \$400,000 to be conditioned on the availability of funds in the State General Fund and the approval of the Governor.</p>			
(c) Laboratory Analysis and Disease Control Program ..			4,525,371
<p>Of the above appropriation, \$350,000 shall be allocated for the Auburn Diagnostic Laboratory, \$225,000 shall be allocated for the Poultry Diagnostic Laboratory at Hanceville and \$25,000 shall be allocated to the Snead State Community College Diagnostic Laboratory.</p>			
(d) Animal Damage Control Program .....			150,000
(e) Poultry Science Building-Capital Outlay .....			1,000,000
(f) Small Farms Program .....			37,500
(g) Agricultural Development Services Program .....			1,784,447
SOURCE OF FUNDS:			
(1) State General Fund .....	10,825,067		
(2) State General Fund-Capital Outlay .....	1,000,000		
(3) Federal and Local			

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
Funds.....		2,472,238	
(4) Shipping Point Inspection Fund .....		4,450,000	
Pursuant to Sections 2-9-20 et seq., Code of Alabama 1975.			
(5) Egg Inspection Fund ....		22,000	
(6) Agricultural Fund .....		5,277,762	
Total Department of Agriculture and Industries .....	11,825,067	12,222,000	24,047,067

In addition to the above appropriation to the Department of Agriculture and Industries, there is hereby appropriated \$2,000,000 for capital outlay for a Poultry Science Building to be conditioned upon 1) the failure to enact legislation to provide for the Alabama Agricultural Development Authority Bond Issue and 2) the availability of funds in the State General Fund and the approval of the Governor.

**11. AIRPORT AUTHORITY, ALABAMA INTERNATIONAL:**

(a) Airport Development and Aeronautical Support Program .....		70,000
SOURCE OF FUNDS:		
(1) State General Fund .....	70,000	
Total Alabama International Airport Authority .....	70,000	70,000

**12. ALABAMA TRUST FUND BOARD:**

(a) Administrative Program ....		25,000
SOURCE OF FUNDS:		
(1) State General Fund .....	25,000	
Total Alabama Trust Fund Board .....	25,000	25,000



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Fund Sources Included  
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
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13. **ALCOHOLIC BEVERAGE  
CONTROL BOARD, ALA-  
BAMA:**

(a) Product Management Pro- gram .....	31,000,000
(b) Enforcement Program .....	8,000,000
(c) Administrative Services Program .....	6,590,000

The appropriation to the Ala-  
bama Alcoholic Beverage  
Control Board shall include  
a transfer to the State Gen-  
eral Fund of \$6,701,121.  
The above transfer shall be  
made from the operating  
funds of the Alcoholic Bev-  
erage Control Board and  
shall not affect any distribu-  
tion of revenue generated  
from the sale of alcoholic  
beverages.

**SOURCE OF FUNDS:**

(1) ABC Board Fund .....	45,590,000
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In addition to the above ap-  
propriations herein made;  
there is hereby appropriated  
for each additional retail  
store put into operation dur-  
ing the fiscal year, an amount  
equal to the sum required to  
install and operate the last  
comparable retail store put  
into operation by said Board.  
There is further appropriated  
to the Alabama Alcoholic  
Beverage Control Board, af-  
ter provision has been made  
for the other expenditures  
herein authorized, such sums  
as are or may be necessary  
to purchase the alcoholic  
beverages which are essen-  
tial to maintain adequate  
stocks and inventory for an  
economic and successful  
sales operation. In addition  
to the above appropriation,

	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
it is further provided that, in the event any county or municipality of the state shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.			
Total Alabama Alcoholic Beverage Control Board ....		45,590,000	45,590,000

14. ARCHITECTS, BOARD FOR REGISTRATION OF:

(a) Professional and Occupational Licensing and Regulation Program .....	256,000
SOURCE OF FUNDS:	
(1) Fund of the Board for Registration of Architects .....	256,000
As provided in Section 34-2-41, Code of Ala-	

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
		Appropriation Total	
bama 1975.			
Total Board for Registration of Architects .....		256,000	256,000
<b>15. ARCHIVES AND HISTORY, DEPARTMENT OF:</b>			
(a) Historical Resources Man- agement Program .....			3,090,251
The above appropriation in- cludes adequate funds to op- erate the Records Retention Program.			
SOURCE OF FUNDS:			
(1) State General Fund .....	3,030,250		
(2) Archives Historical Col- lections Fund .....		10,001	
In accordance with Sec- tion 41-6-71, Code of Alabama 1975.			
(3) Archives Services Fund .....		50,000	
In accordance with Sec- tion 41-6-76, Code of Alabama 1975.			
Total Department of Ar- chives and History .....	3,030,250	60,001	3,090,251
<b>16. ATHLETE AGENT REG- ULATORY COMMISSION:</b>			
(a) Professional and Occupa- tional Licensing and Regula- tion Program .....			25,000
SOURCE OF FUNDS:			
(1) Athlete Agent Regulatory Commission Fund .....		25,000	
As provided in Section 8- 26-17, Code of Alabama 1975.			
Total Athlete Agent Regula- tory Commission .....		25,000	25,000
<b>17. ATHLETIC TRAINERS, ALABAMA BOARD OF:</b>			
(a) Professional and Occup-			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
ational Licensing and Regu- lation Program .....				29,082
SOURCE OF FUNDS:				
(1) Alabama Athletic Trainers Fund .....			29,082	
As provided in Section 34-40-14, Code of Ala- bama 1975.				
Total Alabama Board of Athletic Trainers.....			29,082	29,082
<hr/>				
<b>18.</b>	<b>ATTORNEY GENERAL, OFFICE OF THE:</b>			
(a) Legal Advice and Legal Services Program .....				12,799,243
(b) Fair Marketing Practices Program .....				685,376
SOURCE OF FUNDS:				
(1) State General Fund .....		8,268,511		
(2) State General Fund - Consumer Protection ...		675,376		
(3) State General Fund - Consumer Utility Rate Hearing .....		250,000		
(4) Federal Funds .....			1,534,379	
(5) Miscellaneous Re- ceipts .....			2,671,353	
(6) Attorney General's Liti- gation Support Fund .... In accordance with Sec- tion 36-15-4.2, Code of Alabama 1975.			85,000	
Total Office of the Attorney General .....		9,193,887	4,290,732	13,484,619
<hr/>				
Of the above appropriation from the State General Fund the amount of \$103,000 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regu- lar Session becoming Acts.				

**19. AUCTIONEERS, ALABAMA  
STATE BOARD OF:**

(a) Professional and Occupa-

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		Fund Sources Included In Appropriation Total	
	General Fund	Earmarked Funds	Appropriation Total
tional Licensing and Regulation Program .....			119,158
SOURCE OF FUNDS:			
(1) State Board of Auctioneers Fund .....		119,158	
Total Alabama State Board of Auctioneers .....		119,158	119,158
<b>20. AUDITOR, STATE:</b>			
(a) Fiscal Management Program .....			623,569
SOURCE OF FUNDS:			
(1) State General Fund .....	623,569		
Total State Auditor .....	623,569		623,569
<b>21. BANKING DEPARTMENT, STATE:</b>			
(a) Charter, License and Regulate Financial Institutions Program .....			5,806,866
SOURCE OF FUNDS:			
(1) Banking Assessment Fees .....		4,943,816	
As provided in Section 5-2A-20, Code of Alabama 1975.			
(2) Loan Examination Fund .....		863,050	
As provided in Sections 5-2A-24, 5-16-38.1, and 5-18-5, Code of Alabama 1975.			
Total State Banking Department .....		5,806,866	5,806,866
<b>22. BAR ASSOCIATION, ALABAMA STATE:</b>			
(a) Professional and Occupational Licensing and Regulation Program .....			3,183.669
SOURCE OF FUNDS:			
(1) State Bar Association Fund .....		2,897,355	
As provided in Sections			

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
	34-3-4 and 34-3-44, Code of Alabama 1975.			
	(2) Federal and Local Funds As provided in Sections 34-3-17 and 34-3-18, Code of Alabama 1975.		286,314	
	Total Alabama State Bar As- sociation .....		3,183,669	3,183,669
<b>23.</b>	<b>BEAR CREEK DEVELOP- MENT AUTHORITY:</b>			
	(a) Water Resource Development Program .....			50,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	50,000		
	Total Bear Creek Develop- ment Authority .....	50,000		50,000
<b>24.</b>	<b>BUILDING COMMISSION, STATE:</b>			
	(a) Special Services Pro- gram .....			1,136,778
	SOURCE OF FUNDS:			
	(1) State General Fund .....	438,792		
	(2) Miscellaneous Funds ...		697,986	
	Total State Building Com- mission .....	438,792	697,986	1,136,778
<b>25.</b>	<b>BUILDING RENOVATION FINANCE AUTHORITY, ALABAMA:</b>			
	(a) Administrative Support Ser- vices Program .....			9,021,541
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer .....	1,756,223		
	(2) Departmental Receipts, Estimated .....		7,265,318	
	Total Alabama Building Renovation Finance Au- thority .....	1,756,223	7,265,318	9,021,541
<b>26.</b>	<b>CAHABA ADVISORY COMMITTEE:</b>			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
(a) Historical Resources Management Program .....				175,000
SOURCE OF FUNDS:				
(1) State General Fund .....		175,000		
Total Cahaba Advisory Committee .....		175,000		175,000
<b>27. CHILD ABUSE AND NEGLECT PREVENTION BOARD:</b>				
(a) Social Services Program ....				2,535,949
In accordance with Sections 26-16-1 et seq., Code of Alabama 1975.				
SOURCE OF FUNDS:				
(1) State General Fund-Transfer .....		1,676,124		
(2) Children's Trust Fund, Estimated .....			859,825	
Total Child Abuse and Neglect Prevention Board .....		1,676,124	859,825	2,535,949
Of the above appropriation to the Child Abuse and Neglect Prevention Board, \$1,000,000 shall be expended to upstart implementation and technical assistance for grants for services to children.				
<b>28. CHILDREN'S SERVICES FACILITATION TEAM:</b>				
(a) Human Services Program ..				200,000
SOURCE OF FUNDS:				
(1) State General Fund .....		100,000		
(2) Departmental Receipts ....			100,000	
As provided in Section 12-15-174, Code of Alabama 1975.				
Total Children's Services Facilitation Team .....		100,000	100,000	200,000
<b>29. CHIROPRACTIC EXAMINERS, ALABAMA STATE BOARD OF:</b>				

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
			Appropriation Total
(a) Professional and Occupational Licensing and Regulation Program .....			202,000
SOURCE OF FUNDS:			
(1) Alabama State Board of Chiropractic Examiners Fund .....			202,000
As provided in Section 34-24-143, Code of Alabama 1975.			
Total Alabama State Board of Chiropractic Examiners			
		202,000	202,000
<b>30. CHOCCOLOCCO CREEK WATERSHED CONSERVANCY DISTRICT:</b>			
(a) Water Resource Development Program .....			19,763
SOURCE OF FUNDS:			
(1) State General Fund .....		19,763	
Total Choccolocco Creek Watershed Conservancy District .....		19,763	19,763
<b>31. CHOCTAWHATCHEE, PEA AND YELLOW RIVERS WATERSHED MANAGEMENT AUTHORITY:</b>			
(a) Water Resource Development Program .....			246,688
SOURCE OF FUNDS:			
(1) State General Fund .....		246,688	
Total Choctawhatchee, Pea and Yellow Rivers Watershed Management Authority .....		246,688	246,688
<b>32. CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF:</b>			
(a) State Land Management Program .....			2,960,125
(b) Outdoor Recreation Sites and Services Program .....			29,738,871
Of the above appropriation,			



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Fund Sources Included <u>In Appropriation Total</u>		
General Fund	Earmarked Funds	Appropriation Total
\$100,000 shall be transferred to the Madison County Commission for the Sharon Johnson Park.		
(c) Marine Police Program .....		5,510,518
(d) Wildlife Game and Fish Program .....		21,667,177
Of the above appropriation, \$25,000 shall be allocated to the Alabama Water Fowl Association.		
(e) Marine Resources Program .....		3,298,876
(f) Administrative Services Program .....		4,637,675
(g) Capital Outlay Program .....		10,816,254
The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operation expenses. The appropriation to the Department of Conservation and Natural Resources includes funds for the maintenance, staff and repair of the Governor's official beach mansion.		
SOURCE OF FUNDS:		
(1) State General Fund-Transfer-Game and Fish Fund .....	729,680	
To implement the provisions of Federal Regulation 50CFR 80.4(a)(3).		
(2) State General Fund-Transfer-Game and Fish Fund for the Alabama Water Fowl Association .....	25,000	
(3) State General Fund-Transfer-Outdoor Recreation Sites and Services .....	100,000	
(4) Game and Fish Fund-Licenses, Fines, Fees, Interest Income and Other		

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	Fund Sources Included <u>In Appropriation Total</u>		
	General Fund	Earmarked Funds	Appropriation Total
Departmental Receipts ..		14,242,497	
(5) Game and Fish Fund- Federal and Local Funds .....		7,090,000	
(6) State Lands Fund .....		2,885,125	
(7) Marine Resources Fund- Licenses, Taxes, Fines and Other Departmental Receipts .....		2,108,876	
(8) Marine Resources Fund-Federal and Local Funds .....		1,340,000	
In addition to the mon- ies hereinabove appro- priated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine bio- logical research per- formed or accomplished at the Marine Resources Division Laboratory at Dauphin Island are hereby appropriated and may be expended by the Commissioner of Con- servation on such Marine Resources Division pro- grams or projects which he deems appropriate.			
(9) Marine Police Fund-Li- censes, Fines, Taxes and Other Departmental Re- ceipts .....		4,960,518	
(10) Marine Police Fund- Federal and Local Funds .....		850,000	
(11) State Parks Fund .....		500,202	
(12) State Parks Fund-Act 96-785 .....		9,796,254	
(13) Parks Revolving Fund, Estimated .....		25,138,669	
(14) State Parks Fund-Ciga- rette Tax .....		4,000,000	
(15) Administrative Funds ..		4,637,675	
(16) Forever Wild Trust			

	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
Fund Transfer .....		225,000	
The funds hereinabove appropriated shall be payable as provided in Sections 9-2-1 et seq., Code of Alabama 1975.			
Total Department of Conservation and Natural Resources .....	854,680	77,774,816	78,629,496

**33. CONTRACTORS, STATE  
LICENSING BOARD FOR  
GENERAL:**

- (a) Professional and Occupational Licensing and Regulation Program ..... 759,236  
SOURCE OF FUNDS:

- (1) State Licensing Board for General Contractors Fund ..... 759,236  
Pursuant to Section 34-8-25, Code of Alabama 1975. In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

Total State Licensing Board for General Contractors .....	759,236	759,236
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**34. CORRECTIONS, DEPARTMENT OF:**

- (a) Administrative Services and Logistical Support Program ..... 9,704,864  
Of the above appropriation,

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Fund Sources Included In <u>Apropriation Total</u>		
General Fund	Earmarked Funds	Appropriation Total
<p>\$225,000 shall be expended to develop a statewide automated criminal database to track convicted sex offenders biometrically by having the offender call in to the automated tracking system on a daily basis.</p>		
<p>(b) Institutional Services Corrections Program.....</p> <p>In addition to the above appropriation, there is hereby appropriated \$7,000,000 for the completion and/or the operation of the Brent facility to be conditioned upon the availability of funds and the approval of the Governor. Upon resolution, by final judgment, in the pending litigation styled Alabama Corrections Institution Finance Authority v. The Hartford Fire Insurance Company and Ray J. Sumlin d/b/a/ "Ray Sumlin Construction Company, and Ray Sumlin Construction Co., Inc., A Joint Venture," Case No. CV 97-705 in the Circuit Court of Montgomery County, Alabama, and the expiration of all appeals thereto, any and all monies recovered from the named defendants pursuant to said judgment less costs of litigation, shall be repaid to the State General Fund. Any monies recovered by the Plaintiff pursuant to a settlement agreement with any defendant in the above-styled litigation shall also be repaid to the State General Fund. The repayments to the State General Fund stated above shall not exceed the amount appropriated to the</p>		171,499,375

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
department for the Alabama Corrections Institution Fi- nance Authority in FY 1998.				
(c) Correctional Agricultural and Industries Program .....				20,179,248
The Department of Correc- tions shall not utilize any portion of its State General Fund appropriation to sup- port the Correctional Agri- cultural and Industries Pro- gram.				
SOURCE OF FUNDS:				
(1) State General Fund .....	160,166,251			
(2) Department of Correc- tions Industrial Revolv- ing Fund .....			20,179,248	
The Commissioner of the Department of Correc- tions is authorized to uti- lize funds herein appro- priated as matching con- tributions, where re- quired and appropriate, to generate additional funds which would effec- tively increase the ap- propriations for the De- partment of Corrections. Any such grant funds so generated and in direct support of the Depart- ment of Corrections' op- erations are also hereby appropriated.				
(3) Drug Demand Reduction Fund .....			289,843	
In accordance with Sec- tion 13A-12-283, Code of Alabama 1975.				
(4) Federal Funds .....			869,530	
(5) Correctional Agricultural Fund .....			3,378,615	
(6) Departmental Receipts ....			16,500,000	
Total Department of Correc- tions .....	160,166,251	41,217,236		201,383,487
In addition to the above ap- propriation, there is hereby				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
appropriated \$10,000,000 to the Department of Corrections to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.				
<b>35. COSMETOLOGY, ALABAMA BOARD OF:</b>				
(a) Professional and Occupational Licensing and Regulation Program .....				731,190
SOURCE OF FUNDS:				
(1) Alabama Board of Cosmetology Fund .....			731,190	
As provided in Section 34-7-42, Code of Alabama 1975.				
Total Alabama Board of Cosmetology .....			731,190	731,190
<b>36. COUNSELING, ALABAMA BOARD OF EXAMINERS IN:</b>				
(a) Professional and Occupational Licensing and Regulation Program .....				255,366
SOURCE OF FUNDS:				
(1) Alabama Board of Examiners in Counseling Fund .....			255,366	
As provided in Section 34-8A-6, Code of Alabama 1975.				
Total Alabama Board of Examiners in Counseling ..			255,366	255,366
<b>37. CREDIT UNION ADMINISTRATION, ALABAMA:</b>				
(a) Charter, License and Regulate Financial Institutions Program .....				712,310
SOURCE OF FUNDS:				
(1) Alabama Credit Union Administration Fund ...			712,310	

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
As provided in Section 5-17-7, Code of Alabama 1975.				
Total Alabama Credit Union Administration .....			712,310	712,310
<b>38.</b>	<b>CRIME VICTIMS COMPENSATION COMMISSION, ALABAMA:</b>			
(a)	Special Services Program, Estimated .....			1,572,900
	SOURCE OF FUNDS:			
	(1) Alabama Crime Victims Compensation Commission Fund, Estimated...		1,572,900	
	To be expended in accordance with Sections 15-23-1 through 15-23-23, Code of Alabama 1975.			
	Total Alabama Crime Victims Compensation Commission .....		1,572,900	1,572,900
<b>39.</b>	<b>CRIMINAL JUSTICE INFORMATION CENTER, ALABAMA:</b>			
(a)	Criminal Justice Information Services Program .....			5,019,976
	SOURCE OF FUNDS:			
	(1) State General Fund .....	2,430,792		
	(2) Miscellaneous Receipts .....		2,000	
	(3) Federal and Local Funds .....		2,587,184	
	Total Alabama Criminal Justice Information Center .....	2,430,792	2,589,184	5,019,976
<b>40.</b>	<b>DEVELOPMENT OFFICE, ALABAMA:</b>			
(a)	Promotional Development Program-Alabama Film Commission .....			237,081
(b)	Industrial Development Program-Alabama Development Office .....			4,968,531

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		Fund Sources Included In Apropiation Total		
		General Fund	Earmarked Funds	Appropriation Total
Of the above appropriation at least \$500,000 shall be expended for advertising to promote economic development and not for general operations.				
SOURCE OF FUNDS:				
(1) State General Fund-Alabama Development Office .....	4,868,531			
(2) State General Fund-Alabama Film Commission .....	237,081			
(3) Departmental Receipts ....			100,000	
Total Alabama Development Office .....	5,105,612	100,000		5,205,612
In addition to the above appropriation, there is hereby appropriated \$1,000,000 to the Alabama Development Office to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.				
<b>41. DIETETICS/NUTRITION PRACTICE, ALABAMA STATE BOARD OF EXAMINERS FOR:</b>				
(a) Professional and Occupational Licensing and Regulation Program .....				60,000
SOURCE OF FUNDS:				
(1) State Board of Dietetics/Nutrition Fund .....			60,000	
As provided in Section 34-34A-8, Code of Alabama 1975.				
Total Alabama State Board of Examiners for Dietetics/Nutrition Practice .....			60,000	60,000
<b>42. DISTRICT ATTORNEYS:</b>				
(a) Court Operations Program ..				19,559,069



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Fund Sources Included  
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
-----------------	--------------------	------------------------

The proposed spending plan included in the above total is as follows:

Salaries of District Attorneys .....

3,735,719

Of the above appropriation the amount of \$57,853 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regular Session becoming Acts.

For the use of the elected Assistant District Attorney of the Bessemer Division of the 10th Judicial Circuit .....

204,793

Salaries and expenses of Supernumerary District Attorneys .....

1,740,913

Of the above appropriation the amount of \$20,534 is conditioned solely upon House Bill 99 and House Bill 746 of the 1997 Regular Session becoming Acts.

For use in the District Attorney's Office of the following Judicial Circuits:

1st Judicial Circuit .....

217,642

2nd Judicial Circuit .....

223,269

3rd Judicial Circuit .....

298,486

4th Judicial Circuit .....

558,924

5th Judicial Circuit .....

529,797

6th Judicial Circuit .....

517,456

7th Judicial Circuit .....

410,511

8th Judicial Circuit .....

283,686

9th Judicial Circuit .....

269,721

10th Judicial Circuit .....

752,764

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Fund Sources Included In Appropriation Total			
	General Fund	Earmarked Funds	Appropriation Total
11th Judicial Cir- cuit .....	222,658		
12th Judicial Cir- cuit .....	435,703		
13th Judicial Cir- cuit .....	593,716		
14th Judicial Cir- cuit .....	255,968		
15th Judicial Cir- cuit .....	616,500		
16th Judicial Cir- cuit .....	375,486		
17th Judicial Cir- cuit .....	229,040		
18th Judicial Cir- cuit .....	451,522		
19th Judicial Cir- cuit .....	336,962		
20th Judicial Cir- cuit .....	404,373		
21st Judicial Cir- cuit .....	261,031		
22nd Judicial Cir- cuit .....	284,010		
23rd Judicial Cir- cuit .....	587,568		
24th Judicial Cir- cuit .....	233,423		
25th Judicial Cir- cuit .....	247,461		
26th Judicial Cir- cuit .....	351,999		
27th Judicial Cir- cuit .....	279,965		
28th Judicial Cir- cuit .....	371,532		
29th Judicial Cir- cuit .....	405,012		
30th Judicial Cir- cuit .....	327,343		
31st Judicial Cir- cuit .....	208,027		
32nd Judicial Cir- cuit .....	290,144		
33rd Judicial Cir- cuit .....	243,139		
34th Judicial Cir- cuit .....	180,031		

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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
35th Judicial Circuit .....			
36th Judicial Circuit .....			
37th Judicial Circuit .....			
38th Judicial Circuit .....			
39th Judicial Circuit .....			
40th Judicial Circuit .....			
Travel Expenses of District Attorneys .....			
Investigators Subsistence-Section 36-21-2, Code of Alabama 1975 .....			
SOURCE OF FUNDS:			
(1) State General Fund .....	19,559,069		
Total District Attorneys .....	19,559,069		19,559,069
Of the above appropriation to the several District Attorneys, \$1,500,000 shall be expended for investigation and prosecution of child abuse and neglect offenders, child pornography offenders and for child enforcement. In addition to the above appropriations to the District Attorneys, there is hereby appropriated \$1,000,000 to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor to be distributed as follows:			
1st Judicial Circuit .....			
2nd Judicial Circuit .....			
3rd Judicial Circuit .....			
4th Judicial Circuit .....			
5th Judicial Circuit .....			
6th Judicial Circuit .....			

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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
cuit .....	35,000		
7th Judicial Cir-			
cuit .....	35,000		
8th Judicial Cir-			
cuit .....	25,000		
9th Judicial Cir-			
cuit .....	25,000		
10th Judicial Cir-			
cuit .....	35,000		
11th Judicial Cir-			
cuit .....	25,000		
12th Judicial Cir-			
cuit .....	25,000		
13th Judicial Cir-			
cuit .....	35,000		
14th Judicial Cir-			
cuit .....	25,000		
15th Judicial Cir-			
cuit .....	35,000		
16th Judicial Cir-			
cuit .....	25,000		
17th Judicial Cir-			
cuit .....	17,188		
18th Judicial Cir-			
cuit .....	25,000		
19th Judicial Cir-			
cuit .....	35,000		
20th Judicial Cir-			
cuit .....	25,000		
21st Judicial Cir-			
cuit .....	17,187		
22nd Judicial Cir-			
cuit .....	17,188		
23rd Judicial Cir-			
cuit .....	35,000		
24th Judicial Cir-			
cuit .....	17,187		
25th Judicial Cir-			
cuit .....	17,188		
26th Judicial Cir-			
cuit .....	17,187		
27th Judicial Cir-			
cuit .....	25,000		
28th Judicial Cir-			
cuit .....	25,000		
29th Judicial Cir-			
cuit .....	25,000		
30th Judicial Cir-			

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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
cuit .....			25,000
31st Judicial Cir-			
cuit .....			17,188
32nd Judicial Cir-			
cuit .....			25,000
33rd Judicial Cir-			
cuit .....			25,000
34th Judicial Cir-			
cuit .....			17,187
35th Judicial Cir-			
cuit .....			17,188
36th Judicial Cir-			
cuit .....			17,187
37th Judicial Cir-			
cuit .....			25,000
38th Judicial Cir-			
cuit .....			17,188
39th Judicial Cir-			
cuit .....			17,187
40th Judicial Cir-			
cuit .....			17,188
Bessemer Division of the			
10th Judicial Cir-			
cuit .....			35,000

**43. ECONOMIC AND COMMUNITY AFFAIRS, ALABAMA DEPARTMENT OF:**

- |  |            |
|--|------------|
| (a) Administrative Support Program ..... | 7,622,867  |
| (b) Planning Program .....               | 56,373,507 |
- Of the above appropriation, at least \$600,000 shall be spent for the Regional Planning Commissions; \$60,000 shall be spent for the Alabama Council of Economic Education; \$75,000 shall be spent for the Waste Reduction and Technology Transfer Foundation; \$100,000 shall be transferred to the Jefferson County Commission; \$50,000 shall be spent for the Alabama Commission on Aerospace Science and Industry; \$180,000 shall

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Fund Sources Included In Appropriation Total		
General Fund	Earmarked Funds	Appropriation Total
<p>be spent on rural water programs; \$685,000 shall be expended for Small Business Incubator Programs; \$637,000 shall be allocated to the Small Business Development Consortium; \$225,000 shall be used for the Ft. McClellan Reuse and Redevelopment Authority; \$100,000 shall be expended for tornado relief and cleanup in Rainsville; \$40,000 shall be transferred to Camp ASCCA for Handicapped Recreational Services; \$50,000 shall be spent for the Family Services Center in Enterprise; \$25,000 shall be spent for the Family Services Center of Dothan; and \$150,000 shall be transferred to the Industrial Development Board in the City of Cullman.</p>		
(c) Special Services Program ..		26,950,000
<p>Of the above appropriation to the Department of Economic and Community Affairs from the State General Fund, at least \$800,000 shall be distributed to community action administering agencies based on their populations below the poverty level; provided however, that not more than 10% of each agency's allocation shall be expended for administration and \$80,000 shall be allocated to the Food Assistance Program through the Community Action Agencies of Montgomery and Elmore counties and \$80,000 shall be allocated to the Food Assistance Program through the Community Action Agencies of Winston and Marion coun-</p>		

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Fund Sources Included In Appropriation Total			
	General Fund	Earmarked Funds	Appropriation Total
ties. It is the intent of the Legislature that the allocations to the Community Action Agencies shall be in addition to all federal funds to which those agencies are normally entitled.			
(d) Skills Enhancement and Employment Opportunities Program .....			54,836,255
(e) Energy Management Program .....			5,719,213
(f) Law Enforcement Planning and Development Program .....			14,330,147
(g) Surplus Property Program .....			4,627,422
(h) PALS/Adopt-a-Mile Program .....			200,000
(i) Economic Development Regional Revolving Loan Policy Committee .....			250,000
To be utilized pursuant to Section 41-23-50 Code of Alabama 1975.			
(j) Water Resources Program .....			2,000,000
SOURCE OF FUNDS:			
(1) State General Fund .....	17,166,731		
(2) State General Fund-Transfer to Surplus Property .....	150,000		
(3) Federal and Local Funds .....		144,421,764	
(4) Administrative Transfers and Other Departmental Receipts .....		7,194,900	
(5) Administrative Transfers from Federal-Donated Surplus Property Sales, Estimated .....		3,644,150	
(6) Administrative Transfers from State-Owned Surplus Property Sales, Estimated .....		331,866	
Total Alabama Department of Economic and Community Affairs .....	17,316,731	155,592,680	172,909,411

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<b>TORS, BOARD OF:</b>				
(a) Professional and Occupa- tional Licensing and Regu- lation Program .....				185,000
SOURCE OF FUNDS:				
(1) Alabama Board of Elec- trical Contractors Fund .....			185,000	
As provided in Section 34-36-17, Code of Ala- bama 1975.				
Total Board of Electrical Contractors .....			185,000	185,000
<b>45. ELK RIVER DEVELOP- MENT AGENCY:</b>				
(a) Water Resource Develop- ment Program .....				20,000
SOURCE OF FUNDS:				
(1) State General Fund .....	20,000			
Total Elk River Development Agency .....	20,000			20,000
<b>46. EMERGENCY MANAGE- MENT AGENCY:</b>				
(a) Readiness and Recovery Pro- gram .....				21,042,222
Of the above appropriation, \$25,000 shall be expended for early warning weather sirens at Hazel Green and \$50,000 shall be expended for an Emergency Warning Project in Limestone County and \$50,000 shall be ex- pended for warning sirens in Madison County.				
(b) Transfer to County Emer- gency Management Agen- cies .....				276,675
The above appropriation of \$276,675 is in addition to the regular allocations to county emergency manage-				



	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
ment agencies.			
SOURCE OF FUNDS:			
(1) State General Fund .....	1,273,128		
(2) Federal and Local Funds .....		20,045,769	
Total Emergency Manage- ment Agency .....	1,273,128	20,045,769	21,318,897

**47. ENERGY BOARD, SOUTH-  
ERN STATES:**

(a) Discovery and Development of Mineral, Energy and Wa- ter Resources, Geological Re- search and Topographic Map- ping Program .....			32,572
SOURCE OF FUNDS:			
(1) State General Fund .....	32,572		
Total Southern States Energy Board .....	32,572		32,572

**48. ENGINEERS AND LAND  
SURVEYORS, STATE  
BOARD OF REGISTRA-  
TION FOR PROFESSIONAL:**

(a) Professional and Occupa- tional Licensing and Regu- lation Program .....			754,791
SOURCE OF FUNDS:			
(1) Professional Engineers Fund .....		754,791	
As provided in Section 34-11-36, Code of Ala- bama 1975.			
Total State Board of Regis- tration for Professional En- gineers and Land Sur- veyors .....		754,791	754,791

**49. ENVIRONMENTAL MAN-  
AGEMENT, DEPARTMENT  
OF:**

(a) Environmental Management Program .....			80,173,744
Of the above appropriation,			

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Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds      Appropriation Total
<p>\$100,000 shall be expended by the Water Division for Water and Waste Water Training at the Alabama Water and Wastewater Institute for waste and wastewater operators training and/or education seminar.</p> <p>SOURCE OF FUNDS:</p>		
(1) State General Fund- Transfer .....	3,990,105	
(2) State General Fund- Transfer to Water Pollution Control Authority .....	799,638	
(3) State General Fund-Transfer to Hazardous Substance Cleanup Fund ... In accordance with Sections 22-30A-3 through 22-30A-11, Code of Alabama 1975.	36,347	
(4) State General Fund- Transfer to the Water Division .....	100,000	
(5) State General Fund- Transfer to Public Water State Revolving Fund .... The above appropriation is conditioned solely upon the passage of legislation establishing the State Revolving Fund Drinking Water Authority during the 1997 Regular Session of the Alabama Legislature.	1,500,000	
(6) Environmental Management Fines and Fees .... As provided in Section 22-22A-11, Code of Alabama 1975.		12,203,014
(7) Federal Funds .....		16,061,615
(8) Federal Match-Water Pollution Control Authority .....		11,000,000
(9) Federal Match-Public Water State Revolving Fund .....		20,000,000

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<u>Fund Sources Included In Appropriation Total</u>			
	General Fund	Earmarked Funds	Appropriation Total
(10) Transfer from Under- ground and Aboveground Storage Tank Trust Fund .....		705,000	
As provided in Section 22-35-9, Code of Ala- bama 1975.			
(11) Underground and Above- ground Storage Tank Trust Fund .....		10,705,000	
As provided in Section 22-35-5, Code of Ala- bama 1975.			
(12) Environmental Education Fund .....		825,000	
In accordance with Sec- tion 32-6-156.1, Code of Alabama 1975. To be expended through Leg- acy, Inc., only.			
(13) Hazardous Substance Cleanup Fund .....		307,500	
In accordance with Sec- tions 22-30A-3 through 22-30A-11, Code of Ala- bama 1975.			
(14) SRF Administrative Fees .....		1,940,525	
In accordance with Sec- tion 22-34-3, Code of Alabama 1975.			
Total Department of Envi- ronmental Management .....	6,426,090	73,747,654	80,173,744

In addition to the above ap-  
 propriation, there is appro-  
 priated \$3,500,000 from the  
 State General Fund to the  
 Public Water State Revolv-  
 ing Fund to be conditioned  
 upon the passage of legisla-  
 tion establishing the State  
 Revolving Fund Drinking  
 Water Authority during the  
 1997 Regular Session of the  
 Alabama Legislature and on  
 the availability of funds in  
 the State General Fund and  
 the approval of the Governor.

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<b>50.</b>	<b>ETHICS COMMISSION, ALABAMA:</b>			
(a)	Regulation of Public Officials and Employees Program .....			1,116,381
	SOURCE OF FUNDS:			
	(1) State General Fund .....	1,116,381		
	Total Alabama Ethics Commission .....	1,116,381		1,116,381
<b>51.</b>	<b>FARMERS' MARKET AUTHORITY:</b>			
(a)	Agricultural Development Services Program .....			246,235
(b)	Capital Outlay Program .....			100,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	156,731		
	(2) Farmers' Market Authority Fund .....		189,504	
	Total Farmers' Market Authority .....	156,731	189,504	346,235
<b>52.</b>	<b>FINANCE, DEPARTMENT OF:</b>			
(a)	Fiscal Management Program .....			6,608,530
(b)	Administrative Support Services Program .....			79,984,130
	Of the above appropriation, \$150,000 is to be expended for the GAAT and CPM Programs.			
(c)	Capital Outlay Program .....			800,000
	SOURCE OF FUNDS:			
	(1) State General Fund .....	8,029,124		
	(2) State General Fund-Transfer .....	1,270,198		
	(3) Miscellaneous Funds ...		234,000	
	(4) Capitol Complex Revolving Fund .....		8,423,339	
	(5) Data Center Revolving Fund .....		27,143,171	
	(6) Mail and Supply Revolving Fund .....		7,555,791	

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Fund Sources Included In <u>Apropriation Total</u>			
	General Fund	Earmarked Funds	Appropriation Total
(7) Motor Pool Revolving Fund .....		2,216,391	
(8) Printing and Publications Revolving Fund .....		8,949,879	
(9) State Insurance Fund- Administration .....		1,415,078	
As provided in Sections 41-15-1, et seq., Code of Alabama 1975.			
(10) General Liability Trust Fund-Administration ...		783,423	
As provided in Sections 36-1-6.1, et seq., Code of Alabama 1975.			
(11) Employee Injury Com- pensation Trust Fund- Administration .....		798,499	
As provided in Sections 36-29A-1, et seq., Code of Alabama 1975.			
(12) Telephone Revolving Fund, Estimated .....		18,573,767	
(13) Accounting and Adminis- tration Fund .....		2,000,000	
Total Department of Finance .....	9,299,322	78,093,338	87,392,660

In addition to the above ap-  
 propriation, there is hereby  
 conditionally appropriated  
 \$4,000,000 to the Depart-  
 ment of Finance from the  
 State General Fund to up-  
 grade computers for the Year  
 2000 conversion, to be con-  
 ditioned upon the availabil-  
 ity of funds in the State  
 General Fund, the recom-  
 mendation of the Director  
 of Finance, and the approval  
 of the Governor.

**53. FLEXIBLE EMPLOYEES  
 BENEFIT BOARD:**

(a) Employee Benefits Program, Estimated .....	350,880
In accordance with Sections 36-29-20 through 36-29-30,	

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Code of Alabama 1975.				
SOURCE OF FUNDS:				
(1) Flexible Employees Benefit Board Fund, Estimated .....			350,880	
Total Flexible Employees Benefit Board .....			350,880	350,880
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54.	FOREIGN TRADE RELATIONS COMMISSION:			
(a) Special Services Program .. Of the above appropriation, \$50,000 shall be allocated to the Alabama Council for International Programs.				150,844
SOURCE OF FUNDS:				
(1) State General Fund .....		150,844		
Total Foreign Trade Relations Commission .....		150,844		150,844
<hr/>				
55.	FORENSIC SCIENCES, DEPARTMENT OF:			
(a) Forensic Science Services Program .....				13,126,477
SOURCE OF FUNDS:				
(1) State General Fund .....		7,703,153		
(2) Federal and Local Funds .....			975,824	
(3) DNA Fund .....			1,800,000	
(4) Forfeited Assets Fund .			7,500	
(5) Forensic Services Fund .....			640,000	
As provided in Sections 36-18-6 through 36-18-8, Code of Alabama 1975.				
(6) Chemical Test Fund .....			2,000,000	
As provided in Sections 36-18-51 and 32-5A- 191, Code of Alabama 1975.				
Total Department of Forensic Sciences .....		7,703,153	5,423,324	13,126,477
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56.	FORESTERS, ALABAMA STATE BOARD OF REGIS-			

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Fund Sources Included In Appropriation Total			
	General Fund	Earmarked Funds	Appropriation Total
<b>TRATION FOR:</b>			
(a) Professional and Occupational Licensing and Regulation Program .....			100,000
SOURCE OF FUNDS:			
(1) Professional Foresters Fund .....		100,000	
As provided in Section 34-12-36, Code of Alabama 1975.			
Total Alabama State Board of Registration for Foresters .....		100,000	100,000

**57. FORESTRY COMMISSION, ALABAMA:**

(a) Forest Resources Protection and Development Program .....			26,196,756
(b) Capital Outlay Program .....			180,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer .....	13,090,479		
(2) Federal and Local Funds .....		4,343,177	
(3) Forest Stewardship Education Fund .....		500,000	
(4) Forestry Commission Fund .....		8,443,100	
Total Alabama Forestry Commission .....	13,090,479	13,286,277	26,376,756

Of the above appropriation to the Alabama Forestry Commission, \$2,686,017 shall be used for rural and community fire protection. All monies received by the Forestry Commission for Volunteer Fire Departments or Rural Fire Protection, from whatever source, must be used for those purposes and an accounting of same shall be filed with both houses of the Legislature

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Fund Sources Included  
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
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before the third Legislative day of each regular session. A plan to notify legislators of the funds to be granted to the Volunteer Fire Departments, prior to the distribution of such funds, shall also be filed with both houses of the Legislature. Of the above appropriation the sum of \$25,000 shall be used to fund the pine beetle infrared survey by the Geography Department of the University of North Alabama.

**58. FOREVER WILD LAND TRUST, BOARD OF:**

(a) Capital Outlay Program.....	3,060,131
(b) Administration Program ....	2,616,350

Of the above appropriation to the Administration Program, an amount equal to 15% of capital outlay expenditures shall be transferred to the Alabama Trust Fund Forever Wild Land Trust Stewardship Account, in accordance with the Constitutional Amendment No. 543, adopted pursuant to Act 91-219.

**SOURCE OF FUNDS:**

(1) Forever Wild Land Trust Fund .....	5,576,481
(2) Forever Wild Land Trust Stewardship Account, Estimated .....	100,000

Total Board of Forever Wild Land Trust.....	5,676,481	5,676,481
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The above appropriation is in accordance with the Constitutional Amendment No. 543, adopted pursuant to Act 91-219.

**59. FUNERAL SERVICE, ALA-**



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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<b>BAMA BOARD OF:</b>				
(a) Professional and Occupational Licensing and Regulation Program .....				166,000
SOURCE OF FUNDS:				
(1) Alabama Funeral Directors and Embalmers Fund .....			166,000	
As provided in Section 34-13-23, Code of Alabama 1975.				
Total Alabama Board of Funeral Service .....			166,000	166,000
<b>60. GEOLOGICAL SURVEY:</b>				
(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program .....				3,423,066
SOURCE OF FUNDS:				
(1) State General Fund .....	2,036,668			
(2) Federal and Local Funds .....			1,386,398	
Total Geological Survey ....	2,036,668	1,386,398		3,423,066
<b>61. GEOLOGISTS, ALABAMA BOARD OF LICENSURE FOR PROFESSIONAL:</b>				
(a) Professional and Occupational Licensing and Regulation Program .....				93,300
SOURCE OF FUNDS:				
(1) Alabama Board of Licensure for Professional Geologists Fund .....			93,300	
As provided in Section 34-41-6, Code of Alabama 1975.				
Total Alabama Board of Licensure for Professional Geologists .....			93,300	93,300
<b>62. GORGAS MEMORIAL</b>				

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
<b>BOARD:</b>				
(a) Historical Resources Management Program .....				3,505
SOURCE OF FUNDS:				
(1) State General Fund .....	3,505			
As provided in Section 41-9-220, Code of Alabama 1975, and an additional amount.				
Total Gorgas Memorial Board .....	3,505			3,505
<b>63. GOVERNOR'S CONTINGENCY FUND:</b>				
(a) Executive Direction Program .....				687,500
SOURCE OF FUNDS:				
(1) State General Fund .....	687,500			
Total Governor's Contingency Fund .....	687,500			687,500
<b>64. GOVERNOR'S MANSION:</b>				
(a) Executive Direction Program .....				401,798
SOURCE OF FUNDS:				
(1) State General Fund .....	401,798			
Total Governor's Mansion ..	401,798			401,798
<b>65. GOVERNOR'S MANSION ADVISORY BOARD:</b>				
(a) Historical Resources Management Program .....				6,111
SOURCE OF FUNDS:				
(1) State General Fund .....	6,111			
Total Governor's Mansion Advisory Board .....	6,111			6,111
<b>66. GOVERNOR'S OFFICE:</b>				
(a) Executive Direction Program .....				2,848,830
SOURCE OF FUNDS:				
(1) State General Fund .....	2,848,830			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Governor's Office .....		2,848,830		2,848,830
67.	<b>GOVERNOR'S OFFICE ON NATIONAL AND COM- MUNITY SERVICE:</b>			
	(a) Executive Direction Pro- gram .....			246,641
	SOURCE OF FUNDS:			
	(1) State General Fund- Transfer .....	69,394		
	(2) Federal Funds .....		177,247	
	Total Governor's Office on National and Community Service .....	69,394	177,247	246,641
68.	<b>HEALTH, DEPARTMENT OF PUBLIC:</b>			
	(a) Personal Health Services Program .....			130,851,157
	(b) Health Support Services Program .....			209,107,493
	Of the amount appropriated to support local health department services, \$5,000,000 shall be used to provide a minimum staff in each of the 67 coun- ties and the remainder shall be allocated to the counties on the basis of need and a match formula to be deter- mined by the Department.			
	(c) Administrative Services Program .....			26,860,842
	Of the above appropriation to the Administrative Ser- vices Program, \$100,000 shall be expended for the development of a public in- formation campaign to in- form the public of the health hazards of tobacco use; \$250,000 for the purpose of implementing Senate Bill 300 regarding limiting the			

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Fund Sources Included In Appropriation Total			
	General Fund	Earmarked Funds	Appropriation Total
access of tobacco products to minors; \$100,000 shall be expended by the Council on Substance Abuse; and \$50,000 shall be expended for the Tobacco Free Kids Program. Of the above appropriation, \$250,000 shall be expended at the Southwest Alabama Health Care Network at the University of South Alabama.			
SOURCE OF FUNDS:			
(1) State General Fund .....	38,863,344		
(2) Cigarette Tax-\$0.01 and \$0.02 .....		1,600,000	
As provided in Sections 40-25-2 and 40-25-23, Code of Alabama 1975.			
(3) Vital Statistics Fund ....		3,500,000	
(4) Hospital Licensing Fund .....		550,000	
(5) Emergency Medical Services Fund .....		115,000	
As provided in Section 22-18-4, Code of Alabama 1975.			
(6) Local Health Departments .....		131,105,729	
(7) Milk Processing Fee ....		45,000	
In accordance with Sections 20-1-140 through 20-1-146, Code of Alabama 1975.			
(8) Radiation Safety Fund...		1,000,000	
(9) Miscellaneous Funds ...		22,369,811	
(10) Federal Funds .....		131,170,608	
(11) Alabama Legacy for Environmental Research Trust Fund .....		500,000	
As provided in Section 22-30B-19, Code of Alabama 1975.			
(12) Health-Medicaid Fund .....		36,000,000	
Total Department of Public Health .....	38,863,344	327,956,148	366,819,492
Of the above appropriation			

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**Fund Sources Included  
In Appropriation Total**

General Fund	Earmarked Funds	Appropriation Total
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to the Department of Public Health, at least \$2,000,000 shall be spent on perinatal activities. The Department of Public Health will reimburse to the Alabama Medicaid Agency the state match necessary to cover increased revenues for services as a result of fee increases. The Department of Public Health will be responsible to the Alabama Medicaid Agency for any disallowance of Public Health Department costs as a result of federal or state audit. In addition to the above appropriation from the State General Fund there is hereby appropriated from the State General Fund the amount of \$270,234 to be conditioned solely upon the failure of House Bill 746 of the 1997 Regular Session becoming an Act. If House Bill 746 is enacted, the additional appropriation shall be null and void.

**69. HEALTH PLANNING  
 AGENCY, STATE:**

(a) Health Planning Development and Regulation Program .....	1,025,000
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**SOURCE OF FUNDS:**

(1) Certificate of Need

Fees .....	900,000
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(2) Departmental Receipts .....	125,000
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Total State Health Planning Agency .....		1,025,000	1,025,000
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**70. HEARING INSTRUMENT  
 DEALERS, ALABAMA  
 BOARD OF:**

(a) Professional and Occupa-

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		Fund Sources Included In <u>A</u> ppropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
tional Licensing and Reg- ulation Program .....				54,000
SOURCE OF FUNDS:				
(1) Hearing Instrument Dealers Fund .....			54,000	
As provided in Section 34-14-33, Code of Ala- bama 1975.				
Total Alabama Board of Hearing Instrument Dealers .....			54,000	54,000
71.	<b>HEATING AND AIR CON- DITIONING CONTRAC- TORS, BOARD OF:</b>			
(a) Professional and Occupa- tional Licensing and Regu- lation Program .....				459,000
SOURCE OF FUNDS:				
(1) Heating and Air Con- ditioning Contractors Fund .....			459,000	
As provided in Sections 34-31-18 through 34-31- 34, Code of Alabama 1975.				
Total Board of Heating and Air Conditioning Con- tractors .....			459,000	459,000
72.	<b>HERITAGE TRUST FUND, ALABAMA:</b>			
(a) Fiscal Management Pro- gram .....				20,000
SOURCE OF FUNDS:				
(1) Heritage Trust In- come .....			20,000	
Total Alabama Heritage Trust Fund .....			20,000	20,000
73.	<b>HISTORIC BLAKELEY AUTHORITY:</b>			
(a) Historical Resources Man- agement Program .....				350,000

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<hr/>				
SOURCE OF FUNDS:				
(1) State General Fund .....	350,000			
<hr/>				
Total Historic Blakeley Authority .....	350,000			350,000
<hr/>				
74.	<b>HISTORIC CHATTA- HOOCHEE COMMISSION:</b>			
 (a) Historical Resources Man- agement Program .....				
				218,180
SOURCE OF FUNDS:				
(1) State General Fund .....	218,180			
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Total Historic Chatta- hoochee Commission .....	218,180			218,180
<hr/>				
Of the above appropriation, \$100,000 shall be allocated for the Chattahoochee Indian Heritage Association.				
75.	<b>HISTORIC IRONWORKS COMMISSION:</b>			
 (a) Historical Resources Man- agement Program .....				
				386,057
SOURCE OF FUNDS:				
(1) State General Fund .....	386,057			
<hr/>				
Total Historic Ironworks Commission .....	386,057			386,057
<hr/>				
76.	<b>HISTORICAL COMMIS- SION, ALABAMA:</b>			
 (a) Historical Resources Man- agement Program .....				
				5,865,278
(b) Capital Outlay Program .....				
				160,000
SOURCE OF FUNDS:				
(1) State General Fund- Transfer .....	4,164,934			
The above appropriation shall be distributed as follows:				
Historical Commission, Alabama .....				
943,298				
Historical Commission, Alabama-La- Grange .....				
25,000				
Historical Commission-				

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Fund Sources Included In <u>Apropiation Total</u>		
General Fund	Earmarked Funds	Appropriation Total
<hr/>		
Ft. Payne, Bridgeport and Stevenson Historical De- pots/Museums ....	60,000	
Historical Commission, Alabama-Houston Li- brary Athens .....	30,000	
Historical Commission, Alabama-Magnolia Grove .....	27,124	
Historical Commission, Alabama-Fort Morgan .....	129,198	
Historical Commission, Alabama-Joe Wheeler House .....	35,000	
Historical Commission, Alabama-Fort Toulouse .....	127,500	
Historical Commission, Alabama-John T. Mor- gan House, Selma ...	8,180	
Historical Commission, Alabama-Ca- haba .....	125,000	
The administrative fee charged by the Alabama Historical Commission to the Cahaba Account shall not exceed 3% of the above amount. Historical Commission, Alabama-Gaines- wood .....	52,998	
Historical Commission, Alabama-Main- street Program ...	195,000	
Historical Commission, Alabama-Constitution Hall Village-Capital Outlay .....	500,000	
Historical Commission, Alabama-Restoration of Princess Theatre .....	100,000	
Helen Keller Property Board .....	35,000	
Historical Commission, . Alabama-Janney Fur-		



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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
nace in Calhoun			
County .....	25,000		
Historical Commission,			
Alabama-Calhoun Coun-			
ty Library .....	25,000		
Historical Commission,			
Alabama-Fendall			
Hall .....	137,000		
Historical Commission,			
Alabama-State Capi-			
tol .....	769,636		
Helen Keller's Birth-			
place .....	35,000		
Historical Commission,			
Mooreville Restoration			
Project for Pre-1840			
Buildings .....	30,000		
Historical Commission-			
Roxy Theatre, Russel-			
lville .....	35,000		
Historical Commission,			
Alabama-Cornwall Fur-			
nace .....	20,000		
Historical Commission,			
Alabama-Restoration of			
the Court House in Mon-			
roeville .....	150,000		
Historical Commission,			
Alabama-Butler County			
Courthouse .....	100,000		
Northport Renaissance			
Historical Commis-			
sion .....	50,000		
Autauga County Histori-			
cal Association - 200th			
Birthday Cele-bration of			
Daniel Pratt-Founder			
of Industry in Alabama			
Statewide Celebra-			
tion .....	40,000		
Cherokee County Histor-			
ical Museum .....	35,000		
Cahaba Trace Commis-			
sion .....	10,000		
African-American His-			
torical Sites and Preser-			
vation .....	300,000		
Historical Painting Pro-			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
	ject.....	10,000		
(2)	Soldiers Fund			
	369,794			
	As provided in Section			
	40-8-3, Code of Alabama			
	1975.			
(3)	Alabama State Historical			
	Preservation Fund-			
	Departmen-			
	tal Receipts .....		965,550	
(4)	Federal and Local			
	Funds.....		525,000	
	Total Alabama Historical			
	Commission .....	4,164,934	1,860,344	6,025,278
<hr/>				
77.	<b>HOME BUILDERS LICEN- SURE BOARD:</b>			
(a)	Professional and Occupa-			
	tional Licensing and Regula-			
	tion Program .....			1,534,525
	SOURCE OF FUNDS:			
(1)	Home Builders Licensure			
	Board Fund.....		1,034,525	
	In accordance with Sec-			
	tions 34-14A-1 through			
	34-14A-17, Code of Ala-			
	bama 1975.			
(2)	Home Builders Licensure			
	Board Recovery Fund ..		500,000	
	Total Home Builders Licen-			
	sure Board .....		1,534,525	1,534,525
<hr/>				
78.	<b>HUMAN RESOURCES, DEPARTMENT OF:</b>			
(a)	Human Services Program ....			455,059,969
	It is the intent of the Legis-			
	lature that the Department			
	provide adequate funding for			
	therapeutic foster care and			
	residential care facilities. It			
	is the intent of the Legisla-			
	ture that allotments be made			
	to the County Departments			
	of Human Resources in the			
	amount of \$165,500 to fund,			

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General Fund	Earmarked Funds	Appropriation Total
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upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Human Resources. Allotments to the county departments based on the counties' populations according to the 1990 census are as follows: county populations greater than 50,000 - \$3,500; county populations less than 50,000 - \$2,000. Of the above appropriation, at least \$2.4 million shall be expended for Before and After School Care programs; at least \$7 million shall be expended for therapeutic foster care; \$100,000 shall be allocated for the Brantwood Children's Home; and at least \$400,000 shall be expended for Adult Day Care at Family Guidance Center and the Circle of Care. Of the above appropriation, \$2 million shall be expended to hire additional Child Protection Services workers. The Alabama Department of Human Resources will, subject to the approval of the Welfare Oversight Committee, develop program standards and implement ongoing evaluations of the operating principles of the child care management agencies for the purpose of quality improvement of child day care. Child care services shall be administered by regionally based child care management agencies who must provide information regarding the range of provider options of

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child care centers, family child care homes, and informal child care with a relative. Child care management agencies shall be responsible for managing child care providers to ensure fiscal accuracy of payments made for child care services and to ensure that child care has been provided. Child care providers licensed by the Department of Human Resources shall be reimbursed for child care services at no less than the 75th percentile of the local market rate which shall be established on an annual basis based on a representative sample of licensed child care providers. It is the intent of the Legislature that the Department utilize federal, state and local funds to the maximum extent possible to provide Adult Basic Education services to TANF recipients.

- (b) County Departments-Local Welfare Reform Initiatives Program .....

5,000,000

The above appropriation shall constitute a Local Welfare Reform Initiatives Fund. Each county department of Human Resources may apply for a grant, not to exceed \$100,000, for welfare initiatives in the county. Each grant application shall be submitted to the Commissioner of Human Resources and the State Welfare Reform Coordinating Council created in Senate Bill 457 in the 1997 Regular Session. The Commissioner of Human Resources shall evalu-

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ate the grant applications and make recommendations to the State Welfare Reform Coordinating Council for its approval. The State Welfare Reform Coordinating Council shall approve or disapprove the grant applications within 60 days of their submission to the Council.			
SOURCE OF FUNDS:			
(1) State General Fund- Transfer .....	37,964,156		
(2) Federal and Local Funds .....		310,349,269	
(3) Whiskey Tax .....		21,800,000	
(4) Beer Tax .....		9,400,000	
(5) Pension Residue .....		20,773,431	
(6) Sales Tax .....		1,322,000	
(7) Sales Tax for Foster Care .....		1,000,000	
(8) Franchise Tax .....		19,500,000	
(9) Child Support Collec- tions .....		6,343,113	
(10) Sales Tax for Food Stamps, Estimated .....		23,400,000	
In accordance with Sec- tion 40-23-35, Code of Alabama 1975.			
(11) Cigarette Tax .....		4,000,000	
(12) Contractor's Gross Re- ceipts Tax .....		2,700,000	
(13) Foster Care Trust Fund .....		100,000	
(14) Child Support Interest and Fees .....		480,000	
(15) Miscellaneous Re- ceipts .....		928,000	
Total Department of Human Resources .....	37,964,156	422,095,813	460,059,969

**79. INDIAN AFFAIRS COMMIS-  
SION, ALABAMA:**

- (a) Social Services Pro-  
gram ..... 286,000  
The above appropriation is  
to be expended in accor-

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
dance with Sections 41-9-708 et seq., Code of Alabama 1975.				
SOURCE OF FUNDS:				
(1) State General Fund .....	200,000			
(2) Federal and Local Funds .....			86,000	
Total Alabama Indian Affairs Commission .....	200,000		86,000	286,000
<b>80. INDUSTRIAL DEVELOPMENT AUTHORITY, STATE:</b>				
(a) Industrial Development Program .....				350,000
SOURCE OF FUNDS:				
(1) SIDA Application Fees Fund .....			350,000	
Total State Industrial Development Authority .....			350,000	350,000
<b>81. INDUSTRIAL RELATIONS, DEPARTMENT OF:</b>				
(a) Employment Security Program .....				46,207,103
(b) Industrial Safety and Accident Prevention Program .....				5,076,755
(c) Administrative Services Program .....				15,286,357
(d) Workers' Compensation Program .....				5,133,059
(e) Capital Outlay Program .....				100,000
SOURCE OF FUNDS:				
(1) State General Fund .....	718,887			
(2) Federal and Local Funds .....			71,084,387	
Total Department of Industrial Relations .....	718,887		71,084,387	71,803,274
<b>82. INSURANCE, DEPARTMENT OF:</b>				
(a) Regulatory Services Program .....				7,936,010
SOURCE OF FUNDS:				
(1) Fire Marshal's Fund ....			225,200	

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	General Fund	Earmarked Funds	Appropriation Total
As provided in Sections 34-33-11, 8-17-211, and 8-17-255, Code of Alabama 1975.			
(2) Insurance Agents and Brokers Continuing Education Fund .....		791,906	
As provided in Section 27-2-39, Code of Alabama 1975.			
(3) Examination Revolving Fund .....		4,093,799	
(4) Insurance Department Fund .....		2,825,105	
As provided in Section 27-8A-10, Code of Alabama 1975.			
Total Department of Insurance .....		7,936,010	7,936,010

**83. INSURANCE BOARD,  
STATE EMPLOYEES':**

(a) Administrative Support Services Program .....			1,351,100
SOURCE OF FUNDS:			
(1) State Employees' Insurance Board Expense Fund .....		1,351,100	
Total State Employees' Insurance Board .....		1,351,100	1,351,100

**84. INTERIOR DESIGNERS,  
ALABAMA STATE BOARD  
OF REGISTRATION FOR:**

(a) Professional and Occupational Licensing and Regulation Program .....			29,500
SOURCE OF FUNDS:			
(1) Interior Designer Fund ..		29,500	
As provided in Section 34-15A-7, Code of Alabama 1975.			
Total Alabama State Board of Registration for Interior Designers .....		29,500	29,500

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<b>85.</b>	<b>LABOR, DEPARTMENT OF:</b>			
	(a) Regulatory Services Pro- gram .....			309,889
	SOURCE OF FUNDS:			
	(1) State General Fund .....	309,889		
	Total Department of Labor .....	309,889		309,889
<b>86.</b>	<b>LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF:</b>			
	(a) Professional and Occupa- tional Licensing and Regula- tion Program .....			52,677
	SOURCE OF FUNDS:			
	(1) Landscape Architect's Fund .....		52,677	
	As provided in Section 34-17-6, Code of Ala- bama 1975.			
	Total Board of Examiners of Landscape Architects .....		52,677	52,677
<b>87.</b>	<b>LIEUTENANT GOVERNOR, OFFICE OF THE:</b>			
	(a) Legislative Operations and Support Program .....			627,939
	SOURCE OF FUNDS:			
	(1) State General Fund .....	627,939		
	Total Office of the Lieu- tenant Governor .....	627,939		627,939
<b>88.</b>	<b>LIQUEFIED PETROLEUM GAS BOARD:</b>			
	(a) Regulatory Services Pro- gram .....			634,000
	SOURCE OF FUNDS:			
	(1) Liquefied Petroleum Gas Board Fund .....		544,000	
	(2) Liquefied Petroleum Gas Research and Education			



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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
	Fund .....		90,000	
	Total Liquefied Petroleum Gas Board .....		634,000	634,000
<b>89.</b>	<b>LIVESTOCK MARKET BOARD, ALABAMA PUB- LIC:</b>			
	(a) Agricultural Development Ser- vice Program .....			3,500
	SOURCE OF FUNDS:			
	(1) Alabama Public Livestock Market Fund .....		3,500	
	In accordance with Sec- tions 2-15-115 through 2- 15-127, Code of Ala- bama 1975.			
	Total Alabama Public Live- stock Market Board .....		3,500	3,500
<b>90.</b>	<b>MANUFACTURED HOUSING COMMISSION, ALABAMA:</b>			
	(a) Regulatory Services Pro- gram .....			1,803,086
	SOURCE OF FUNDS:			
	(1) Alabama Manufactured Housing Commission Fund .....		1,803,086	
	As provided in Section 24-6-4, Code of Alabama 1975.			
	Total Alabama Manufac- tured Housing Commis- sion .....		1,803,086	1,803,086
<b>91.</b>	<b>MASSAGE THERAPY, ALABAMA BOARD OF:</b>			
	(a) Professional and Occupa- tional Licensing and Regu- lation Program .....			60,500
	SOURCE OF FUNDS:			
	(1) Alabama Board of Mas- sage Therapy Fund .....		60,500	
	As provided in Section 34-43-14, Code of Ala-			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
bama 1975.				
Total Alabama Board of Massage Therapy .....			60,500	60,500
<b>92. MEDICAID AGENCY, ALA- BAMA:</b>				
(a) Medical Assistance through Medicaid Program .....				2,205,881,051
The Medicaid Agency will reimburse the Department of Public Health for actual costs (in compliance with OMB Circular A87 and Health Care Financing Ad- ministration guidelines) for services provided.				
SOURCE OF FUNDS:				
(1) State General Fund .....		171,294,453		
(2) Transfer from Depart- ment of Human Re- sources .....			10,834,560	
(3) Transfer from Depart- ment of Mental Health and Mental Retardation ..			76,436,211	
(4) Transfer from Commis- sion on Aging .....			3,168,000	
(5) Transfer from Depart- ment of Public Health .			13,176,167	
(6) Transfer from Depart- ment of Youth Services ...			126,720	
(7) Transfer from Depart- ment of Rehabilitation Services .....			2,217,600	
(8) Public Hospitals Trans- fer .....			356,729,385	
(9) Departmental Receipts ..			2,500,000	
(10) Federal and Local Funds .....			1,527,425,311	
(11) Alabama Health Care Trust Fund .....			29,500,000	
(12) Transfer from Univer- sity of Alabama in Birmingham .....			920,400	
(13) Drug Rebates .....			11,481,407	
(14) Unencumbered Balance Brought Forward .....			70,837	
Total Alabama Medicaid				

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
Agency .....	171,294,453	2,034,586,598	2,205,881,051

In addition to the above appropriation, there is also appropriated any local funds or transfers from other state departments as may become available to facilitate the receipt of matching federal funds in order to maximize federal participation in existing programs under Medicaid. In addition to the above appropriation, there is hereby conditionally appropriated \$25,000,000 to the Alabama Medicaid Agency from the State General Fund, to be conditioned upon the availability of funds in the State General Fund, the recommendation of the Director of Finance, and the approval of the Governor.

**93. MEN'S HALL OF FAME,  
ALABAMA:**

(a) Historical Resources Management Program .....		13,505
SOURCE OF FUNDS:		
(1) State General Fund .....	13,505	
Total Alabama Men's Hall of Fame .....	13,505	13,505

**94. MENTAL HEALTH AND  
MENTAL RETARDATION,  
DEPARTMENT OF:**

(a) Mental Illness Program .....	189,856,447
(b) Mental Retardation Program .....	142,860,815
(c) Administrative Services Program .....	14,453,701
Of the above appropriation, \$50,000 shall be allocated to the Glenwood Mental Health Wilderness Program.	

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	Fund Sources Included <u>In Appropriation Total</u>		
	General Fund	Earmarked Funds	Appropriation Total
(d) Substance Abuse Program .. In addition to funding grants received by the Council on Substance Abuse-NCADD, \$50,000 shall be allocated to the Council for its substance abuse hotline.			28,663,501
SOURCE OF FUNDS:			
(1) State General Fund- Transfer .....	69,624,911		
(2) Special Mental Health Trust Fund..... For Operations and Maintenance of the Department of Mental Health and Mental Re- tardation and the Mental Health and Mental Re- tardation Community Programs, including the purchase of drugs for medically indigent men- tal patients not hospital- ized at time of receiving drugs at the Alabama state hospitals.		110,702,338	
(3) Cigarette Tax .....		1,600,000	
(4) Departmental Receipts		2,000,000	
(5) Indigent Offender Al- cohol/Drug Treatment Fund .....		154,500	
(6) Federal and Local Funds.....		191,752,715	
Total Department of Mental Health and Mental Retarda- tion .....	69,624,911	306,209,553	375,834,464
Of the above appropriations for Mental Illness Services and Substance Abuse Ser- vices, funds shall be allo- cated by the DMH/MR to Regional Community Men- tal Health Boards estab- lished under Section 22-51- 2, Code of Alabama 1975. First priority for such allo- cated funds shall be the de- velopment of a comprehen-			

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Fund Sources Included  
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
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sive array of services for seriously mentally ill, seriously emotionally disturbed, and addicted populations. Such services shall be provided by or sanctioned by said community boards according to resource allocation procedures as set forth in the Alabama Administrative Code (Section 580-1-1-.19). Such allocations to community boards shall recognize community needs and DMH/MR obligations with respect to the Wyatt Consent Decree, Federal Block Grant allocation rules, and operational funding of facilities constructed with bond issue proceeds. In addition to the above appropriation from the State General Fund there is hereby appropriated from the State General Fund the amount of \$453,575 to be conditioned solely upon the failure of House Bill 746 of the 1997 Regular Session becoming an Act. If House Bill 746 is enacted, this additional appropriation shall be null and void.

**95. MILITARY DEPARTMENT:**

(a) Military Operations Program .....		5,013,369
SOURCE OF FUNDS:		
(1) State General Fund-Operations .....	1,541,851	
(2) State General Fund-Quarterly Allowances Headquarters .....	1,450,000	
(3) State General Fund-Active Military Service .....	7,500	
(4) State General Fund-		

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Transfer to Armory Com- mission .....		2,010,018		
(5) State General Fund- Dropping Allowance ....		1,000		
(6) State General Fund-State Defense Force .....		3,000		
Total Military Department ..		5,013,369		5,013,369
<b>96. MILITARY DEPARTMENT - ARMORY COMMISSION OF ALABAMA:</b>				
(a) Military Operations Pro- gram .....				8,895,924
(b) Capital Outlay Program .....				4,571,000
SOURCE OF FUNDS:				
(1) Transfer from Military Department .....			2,010,018	
(2) Federal and Local Funds .....			11,325,397	
(3) Military Department Billeting Revolving Fund, Estimated .....			91,509	
(4) Departmental Receipts ..			40,000	
The funds hereinabove ap- propriated to the Armory Commission shall be pay- able from the funds in the State Treasury to the credit of the Armory Commission and the appropriation here- inabove made includes the appropriation made for the care, maintenance and con- struction of facilities; pro- vided, however, that the last federal government service contract reimburse- ment shall not revert to the State General Fund.				
Total Armory Commission of Alabama .....			13,466,924	13,466,924
<b>97. MOTOR SPORTS HALL OF FAME:</b>				
(a) Historical Resources Manage-				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
	ment Program .....			131,522
	SOURCE OF FUNDS:			
	(1) State General Fund .....	131,522		
	Total Motor Sports Hall of Fame .....	131,522		131,522
<b>98.</b>	<b>MUSIC HALL OF FAME, ALABAMA:</b>			
	(a) Fine Arts Program .....			220,559
	SOURCE OF FUNDS:			
	(1) State General Fund .....	220,559		
	Total Alabama Music Hall of Fame .....	220,559		220,559
<b>99.</b>	<b>NURSING, ALABAMA BOARD OF:</b>			
	(a) Professional and Occupa- tional Licensing and Regu- lation Program .....			2,626,790
	SOURCE OF FUNDS:			
	(1) Alabama Board of Nursing Trust Fund .....		2,626,790	
	As provided in Sections 34-21-1 through 34-21- 43, Code of Alabama 1975.			
	Total Alabama Board of Nursing .....		2,626,790	2,626,790
<b>100.</b>	<b>NURSING HOME ADMINIS- TRATORS, BOARD OF EX- AMINERS OF:</b>			
	(a) Professional and Occupa- tional Licensing and Regu- lation Program .....			88,000
	SOURCE OF FUNDS:			
	(1) Board of Examiners of Nursing Home Admin- istrators Fund .....		88,000	
	As provided in Section 34-20-7, Code of Ala- bama 1975.			
	Total Board of Examiners of Nursing Home Adminis-			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
trators .....			88,000	88,000
<b>101. OCCUPATIONAL THERAPY, ALABAMA STATE BOARD OF:</b>				
(a) Professional and Occupa- tional Licensing and Regu- lation Program .....				100,000
SOURCE OF FUNDS:				
(1) Board of Occupational Therapy Fund .....			100,000	
As provided in Section 34-39-6, Code of Ala- bama 1975.				
Total Alabama State Board of Occupational Therapy ...			100,000	100,000
<b>102. OIL AND GAS BOARD:</b>				
(a) Management and Regu- lation of Oil and Gas Exploration and Devel- opment Program .....				2,240,600
SOURCE OF FUNDS:				
(1) State General Fund .....		2,088,600		
(2) Oil and Gas Board Spe- cial Fund .....			132,000	
(3) Surety Bond Deposits, Estimated .....			20,000	
In accordance with Sec- tion 9-17-6, Code of Ala- bama 1975.				
Total Oil and Gas Board ...		2,088,600	152,000	2,240,600
<b>103. PARDONS AND PAROLES, BOARD OF:</b>				
(a) Administration of Pardons and Paroles Program .....				17,337,658
SOURCE OF FUNDS:				
(1) State General Fund .....		13,661,173		
(2) Probationers Upkeep Fund .....			3,540,000	
In accordance with Sec- tion 15-22-2, Code of Alabama 1975.				



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		Fund Sources Included In Appropriation Total	
		General Fund	Appropriation Total
(3) Local Funds .....			136,485
Total Board of Pardons and Paroles .....		13,661,173	17,337,658
<b>104. PEACE OFFICERS' ANNU- ITY AND BENEFIT FUND, ALABAMA:</b>			
(a) Retirement Systems Pro- gram .....			414,253
SOURCE OF FUNDS:			
(1) Peace Officers' Annuity and Benefit Fund .....		414,253	
As provided in Section 36-21-66, Code of Ala- bama 1975.			
Total Alabama Peace Of- ficers' Annuity and Benefit Fund .....		414,253	414,253
<b>105. PERSONNEL DEPARTMENT, STATE:</b>			
(a) Administrative Support Services Program .....			6,002,647
SOURCE OF FUNDS:			
Transfers to the State Per- sonnel Department shall be as follows:			
(1) Board of Public Account- ancy .....		644	
(2) Department of Aeronau- tics .....		572	
(3) Commission on Aging .....		2,574	
(4) Agricultural and Conser- vation Development Commission .....		72	
(5) Agricultural Center Board .....		3,396	
(6) Agricultural Museum Board .....		72	
(7) Department of Agri- culture and Industries ....		53,125	
(8) Alcoholic Beverage Control Board .....		113,399	
(9) Board of Registration for Architects .....		215	

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	Fund Sources Included		
	<u>In Appropriation Total</u>		
	General Fund	Earmarked Funds	Appropriation Total
(10) Archives and History ...		6,793	
(11) State Council on the Arts .....		2,646	
(12) Attorney General's Office .....		23,881	
(13) Board of Auctioneers ...		72	
(14) State Auditor .....		2,503	
(15) State Banking Depart- ment .....		7,794	
(16) Building Commission ...		3,218	
(17) Alabama Building Ren- ovation Finance Authori- ty .....		14,872	
(18) Child Abuse and Ne- glect Prevention Board .....		1,144	
(19) Chiropractic Exam- iners .....		215	
(20) Choctawhatchee, Pea and Yellow Rivers Watershed .....		143	
(21) Department of Conser- vation and Natural Re- sources .....		228,228	
(22) State Licensing Board for General Contrac- tors .....		787	
(23) Department of Correc- tions .....		439,797	
(24) Board of Cosmetology ..		1,788	
(25) Board of Counseling Examiners .....		72	
(26) Credit Union Admin- istration .....		930	
(27) Alabama Crime Victims Compensation Com- mission .....		3,075	
(28) Criminal Justice Infor- mation Center .....		7,365	
(29) Alabama Development Office .....		5,935	
(30) State Docks .....		54,054	
(31) Department of Economic and Community Af- fairs .....		46,404	
(32) Department of Educa- tion .....		95,810	
(33) Educational Television			

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	General Fund	Earmarked Funds
		Appropriation Total
Commission .....		9,581
(34) Electrical Contractors Board .....		72
(35) Emergency Management Agency .....		7,722
(36) Employees' Insurance Board .....		2,145
(37) Board of Registration for Professional Engi- neers and Land Survey- ors .....		858
(38) Department of Envi- ronmental Manage- ment .....		64,279
(39) Ethics Commission .....		2,145
(40) Examiners of Public Accounts .....		35,107
(41) Farmers' Market Au- thority .....		286
(42) Finance, Department of .....		75,790
(43) Foreign Trade Rela- tions Commission .....		143
(44) Department of Foren- sic Sciences .....		19,663
(45) Forestry Commission ..		56,342
(46) Funeral Service Board .....		215
(47) Geological Survey .....		7,579
(48) Governor's Office .....		4,719
(49) Department of Public Health .....		789,932
(50) State Health Planning Agency .....		1,788
(51) Board of Heating and Air Conditioning Con- tractors .....		501
(52) Alabama Historical Commission .....		11,512
(53) Home Builders Licen- sure Board .....		1,931
(54) Department of Human Resources .....		596,167
(55) Alabama Indian Affairs Commission .....		644
(56) Department of Indus- trial Relations .....		232,375
(57) Insurance Department .		12,012

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General Fund	Earmarked Funds	Appropriation Total
(58)International Airport Authority .....	72	
(59)Judicial Inquiry Com- mission .....	358	
(60)Department of Labor ...	858	
(61)Legislative Reference Service .....	143	
(62)Liquefied Petroleum Gas Board .....	1,216	
(63)Manufactured Housing Commission .....	2,646	
(64)Alabama Medicaid Agency .....	76,863	
(65)Department of Mental Health and Mental Re- tardation .....	543,758	
(66)Military Department ....	30,030	
(67)Board of Nursing .....	3,933	
(68)Board of Examiners of Nursing Home Admin- istrators .....	72	
(69)Board of Occupational Therapy .....	72	
(70)Oil and Gas Board .....	5,077	
(71)Pardons and Paroles ....	52,982	
(72)Peace Officers' Annuity and Benefit Fund .....	501	
(73)Peace Officers' Stand- ards and Training Com- mission .....	930	
(74)Physical Fitness Com- mission .....	715	
(75)Board of Physical Therapy .....	215	
(76)Plumbers and Gas Fit- ters Examiners Board ..	2,145	
(77)Public Library Service ..	7,651	
(78)Department of Public Safety .....	171,243	
(79)Public Service Com- mission .....	18,590	
(80)Real Estate Appraisers Board .....	1,073	
(81)Real Estate Commis- sion .....	3,075	
(82)Rehabilitation Services, Department of .....	113,828	
(83)Retirement Systems .....	29,029	

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<u>Fund Sources Included In Appropriation Total</u>		
	General Fund	Earmarked Funds
		Appropriation Total
(84)Department of Revenue		202,417
(85)Secretary of State.....		6,006
(86)Securities Commis- sion .....		3,861
(87)Board of Social Work Examiners .....		358
(88)Soil and Water Conser- vation Committee .....		501
(89)Surface Mining Com- mission .....		4,648
(90)Bureau of Tourism and Travel .....		10,654
(91)Department of Trans- portation .....		612,898
(92)State Treasurer .....		7,222
(93)Department of Veterans' Affairs .....		9,152
(94)Board of Veterinary Medical Examiners.....		72
(95)Voter Registration .....		358
(96)Department of Youth Services .....		94,523
(97)Human Resources-Con- tract Team .....		94,553
(98)Public Health-Contract Team.....		289,072
(99)Transportation-Contract Team.....		424,513
(100)Rehabilitation-Contract Team.....		119,661
The appropriations in (97), (98), (99), and (100) are for an esti- mated amount as agreed upon by State Personnel Department and said de- partments for model work teams.		
Total State Personnel De- partment .....		6,002,647
		6,002,647

**106. PHYSICAL THERAPY,  
BOARD OF:**

- (a) Professional and Occupa-  
tional Licensing and Regu-  
lation Program .....

248,165

		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1) Physical Therapist				
Fund .....			248,165	
As provided in Section				
34-24-195, Code of Ala-				
bama 1975.				
<hr/>				
Total Board of Physical				
Therapy .....			248,165	248,165
<hr/>				
107. PLUMBERS AND GAS				
FITTERS EXAMINING				
BOARD, ALABAMA:				
(a) Professional and Occupa-				
tional Licensing and Regu-				
lation Program .....				1,500,000
SOURCE OF FUNDS:				
(1) Board of Plumbers and				
Gas Fitters Examiners				
Fund .....			1,500,000	
As provided in Section				
34-37-5, Code of Ala-				
bama 1975.				
<hr/>				
Total Alabama Plumbers				
and Gas Fitters Examining				
Board.....			1,500,000	1,500,000
<hr/>				
108. POLYGRAPH EXAMINERS,				
BOARD OF:				
(a) Professional and Occupa-				
tional Licensing and Regu-				
lation Program .....				20,000
SOURCE OF FUNDS:				
(1) Board of Polygraph				
Examiners Fund.....			20,000	
As provided in Section				
34-25-5, Code of Ala-				
bama 1975.				
<hr/>				
Total Board of Polygraph				
Examiners .....			20,000	20,000
<hr/>				
109. PROSECUTION SERVICES,				
OFFICE OF:				
(a) Prosecution, Training, Ed-				
ucation and Management				

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Fund Sources Included <u>In Appropriation Total</u>			
	General Fund	Earmarked Funds	Appropriation Total
Program .....			2,271,552
Of the above appropriation, \$325,000 shall be expended for a Child Pornography Strike Force.			
SOURCE OF FUNDS:			
(1) State General Fund .....	1,253,585		
(2) Office of Prosecution Services Fund .....		1,017,967	
Total Office of Prosecution Services .....	1,253,585	1,017,967	2,271,552
<b>110. PSYCHOLOGY, ALABAMA BOARD OF EXAMINERS IN:</b>			
(a) Professional and Occupa- tional Licensing and Regu- lation Program .....			166,508
SOURCE OF FUNDS:			
(1) Board of Examiners in Psychology Fund .....		166,508	
As provided in Section 34-26-43, Code of Ala- bama 1975.			
Total Alabama Board of Examiners in Psychology ..		166,508	166,508
<b>111. PUBLIC SAFETY, DEPART- MENT OF:</b>			
(a) Police Services Program ....			42,095,003
Of the above appropriation, \$300,000 shall be expended by the Missing and Ex- ploited Children's Bureau. In addition, there is hereby appropriated \$500,000 from the State General Fund to the Department of Public Safety/ Missing and Exploited Children's Bureau to be con- ditioned upon the availabil- ity of funds in the State Gen- eral Fund and the approval of the Governor.			
(b) Public Safety Support Ser- vices Program .....			19,089,882

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
(c) Administrative Services Program .....			15,843,122
Of the above appropriation, \$30,000 shall be allocated to the State Trooper Honor Guard.			
SOURCE OF FUNDS:			
(1) State General Fund .....	59,650,166		
(2) Transfer from Public Road and Bridge Fund- Act 91-797 .....		3,500,000	
(3) Federal and Local Funds .....		4,311,984	
(4) Automated Fingerprint Identification System Fund .....		2,598,857	
In accordance with Sec- tions 12-19-180 and 32- 2-61, Code of Alabama 1975.			
(5) Public Safety Law En- forcement Fund .....		5,000,000	
In accordance with Sec- tion 32-6-5, Code of Ala- bama 1975.			
(6) Drug Offenders Rein- statement Fund .....		100,000	
(7) Commercial Driver's License Fees .....		767,000	
In accordance with Sec- tion 32-5-313, Code of Alabama 1975.			
(8) Public Safety Motor Vehicle Replacement Fund .....		1,000,000	
In accordance with Sec- tions 32-2-80 through 32-2-84, Code of Ala- bama 1975.			
(9) Boat Driver License .....		100,000	
In accordance with Sec- tions 33-5-53(f) through 33-5-55, Code of Ala- bama 1975.			
Total Department of Public Safety .....	59,650,166	17,377,841	77,028,007



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Fund Sources Included <u>In Appropriation Total</u>		
	General Fund	Earmarked Funds
		Appropriation Total
<b>SION:</b>		
(a) Regulatory Services Program .....		5,298,359
(b) Administrative Services Program .....		6,051,641
The above appropriation includes a transfer to the State General Fund of \$2,000,000 in four equal amounts at the end of each quarter of the fiscal year.		
<b>SOURCE OF FUNDS:</b>		
(1) Public Service Commission Fund .....	10,531,509	
The above appropriation to the Alabama Public Service Commission shall be payable only from inspection and supervision fees paid by utilities, radio companies and transportation companies and such parts or percentages of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$600,000 shall be transferred to the State General Fund.		
(2) Gas Pipeline Safety Fund .....	558,491	
(3) Departmental Receipts .....	10,000	
(4) Federal and Local Funds .....	250,000	
Total Public Service Commission .....	11,350,000	11,350,000
In addition to the above appropriation to the Public Service Commission, there is		

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
hereby also appropriated revenues received from audit and court settlements and motor carrier fees in excess of known budgeted amounts in PSC Fund 326 up to a maximum of \$600,000.				
<b>113. REAL ESTATE APPRAISERS BOARD, ALABAMA:</b>				
(a) Professional and Occupational Licensing and Regulation Program .....				644,521
SOURCE OF FUNDS:				
(1) Real Estate Appraisers Board Fund .....			644,521	
In accordance with Sections 34-27A-1 through 34-27A-29, Code of Alabama 1975.				
Total Alabama Real Estate Appraisers Board .....			644,521	644,521
<b>114. REAL ESTATE COMMISSION, ALABAMA:</b>				
(a) Professional and Occupational Licensing and Regulation Program .....				2,375,769
SOURCE OF FUNDS:				
(1) Alabama Real Estate Commission Fund .....			2,375,769	
As provided in Section 34-27-4, Code of Alabama 1975.				
Total Alabama Real Estate Commission .....			2,375,769	2,375,769
<b>115. REHABILITATION SERVICES, DEPARTMENT OF:</b>				
(a) Rehabilitation Services Program .....				1,911,575
SOURCE OF FUNDS:				
(1) State General Fund-Homebound .....	1,870,341			
(2) State General Fund-Eye				

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	Fund Sources Included <u>In Appropriation Total</u>		
	General Fund	Earmarked Funds	Appropriation Total
Injury Register .....	41,234		
Total Department of Re- habilitation Services .....	1,911,575		1,911,575

**116. REVENUE, DEPARTMENT  
OF:**

(a) State Revenue Administra- tion Program .....			74,600,000
SOURCE OF FUNDS:			
(1) State General Fund- Transfer .....	250,000		
As provided in Section 40-7-70, Code of Ala- bama 1975, to maintain a program for the equal- ization of ad valorem tax assessments.			
(2) State General Fund- Board of Equalization ..	76,542		
(3) Transfer from the gross proceeds of Cigarette Tax Collections .....		1,245,534	
As provided in Section 40-25-27, Code of Ala- bama 1975.			
(4) Transfer from the gross proceeds of Financial Institution Excise Tax Collections .....		372,679	
(5) Transfer from the pro- ceeds of the Forest Severance Tax Collec- tions .....		137,203	
(6) Transfer from the gross proceeds of Gasoline Tax Collections .....		7,976,945	
(7) Transfer from the In- come Tax Collections ..		22,342,180	
(8) Transfer from the gross proceeds of Motor Fuel Tax Collections .....		1,637,647	
(9) Transfer from the gross proceeds of Motor Ve- hicle License Collec- tions .....		1,235,417	
(10) Transfer from the Pen- sion Fund as part of the			

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
cost of collections of the 1-Mill Ad Valorem Tax .....			1,364,494	
(11)	Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Val- orem Tax .....		2,222,735	
(12)	Transfer from the gross proceeds of Sales Tax Collections .....		21,079,971	
(13)	Transfer from the gross proceeds of the Tobacco Tax Collections .....		58,827	
(14)	Transfer from the gross proceeds of Use Tax Collections .....		2,137,782	
(15)	Transfer from the gross proceeds of the Utility Tax Collections .....		4,746,450	
(16)	Transfer from the gross proceeds of Motor Ve- hicle License Collections for the purchase only of Motor Vehicle License Tags .....		2,365,083	
(17)	Inspection fees for re- stored vehicles .....		1,216,000	
	As provided in Section 32-8-87, Code of Ala- bama 1975.			
(18)	Local Funds .....		4,134,511	
The amounts herein- above appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions for the payment of the cost of operating said Depart- ment or collections of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropri- ated, there is hereby ap- propriated to the Depart-				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
ment of Revenue all sums allowed the De- partment of Revenue by local Acts of the Legis- lature as a charge for the collection of taxes or li- censes.				
Total Department of Rev- enue .....		326,542	74,273,458	74,600,000
<b>117. SECRETARY OF STATE:</b>				
(a) Administrative Support Services Program .....				1,858,019
SOURCE OF FUNDS:				
(1) State General Fund .....		795,722		
(2) UCC and Farm Indexing Fund .....			189,503	
(3) Home Inspectors Regis- tration Fund .....			50,000	
As provided in Section 34-14B-6, Code of Ala- bama 1975.				
(4) Corporations Fund .....			822,794	
Total Secretary of State .....		795,722	1,062,297	1,858,019
<b>118. SECURITIES COMMISSION:</b>				
(a) Regulatory Services Pro- gram .....				3,918,201
The above appropriation in- cludes a transfer to the State General Fund of \$1,500,000 to be made in four equal amounts at the beginning of each quarter of the fiscal year.				
SOURCE OF FUNDS:				
(1) Securities Commission Fund .....			2,278,201	
(2) Securities Commission Fund-Transfer to State General Fund .....			1,500,000	
(3) Sale of Checks Fund ....			40,000	
(4) Industrial Revenue Bond Notification Fund .....			100,000	
Total Securities Commis-				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
sion .....			3,918,201	3,918,201
<b>119. SENIOR CITIZENS HALL OF FAME, ALABAMA:</b>				
(a) Historical Resources Man- agement Program .....				15,899
To be expended in accor- dance with Sections 41-9- 740 et seq., Code of Ala- bama 1975.				
SOURCE OF FUNDS:				
(1) State General Fund .....		15,899		
Total Alabama Senior Citi- zens Hall of Fame .....		15,899		15,899
<b>120. SOCIAL WORK EXAMIN- ERS, ALABAMA STATE BOARD OF:</b>				
(a) Professional and Occupa- tional Licensing and Regu- lation Program .....				160,387
SOURCE OF FUNDS:				
(1) Alabama State Board of Social Work Exam- iners Fund .....			160,387	
As provided in Section 34-30-6, Code of Ala- bama 1975.				
Total Alabama State Board of Social Work Examiners...			160,387	160,387
<b>121. SOIL AND WATER CONSER- VATION COMMITTEE, STATE:</b>				
(a) Water Resource Develop- ment Program .....				1,765,626
(b) Professional and Occupa- tional Licensing and Regu- lation Program .....				5,000
(c) R C and D Program .....				300,000
SOURCE OF FUNDS:				
(1) State General Fund .....		1,874,626		
(2) Soil Classifiers Fund ... As provided in Section			5,000	

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
34-32-19, Code of Ala- bama 1975.				
(3) Departmental Receipts..			191,000	
Total State Soil and Water Conservation Committee ...		1,874,626	196,000	2,070,626
<hr/>				
<b>122.</b>	<b>SOUTHERN GROWTH POLICIES BOARD:</b>			
(a) Special Services Program..				42,671
SOURCE OF FUNDS:				
(1) State General Fund .....		42,671		
Total Southern Growth Policies Board .....		42,671		42,671
<hr/>				
<b>123.</b>	<b>SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:</b>			
(a) Professional and Occupa- tional Licensing and Regu- lation Program .....				79,300
SOURCE OF FUNDS:				
(1) Alabama Board of Examiners for Speech Pathology and Au- diology Fund .....			79,300	
As provided in Section 34-28A-44, Code of Ala- bama 1975.				
Total Alabama Board of Examiners for Speech Pathology and Audiology ..			79,300	79,300
<hr/>				
<b>124.</b>	<b>SPORTS HALL OF FAME, ALABAMA:</b>			
(a) Historical Resources Man- agement Program .....				200,000
SOURCE OF FUNDS:				
(1) State General Fund .....		200,000		
Total Alabama Sports Hall of Fame .....		200,000		200,000
<hr/>				
<b>125.</b>	<b>ST. STEPHENS HISTORI- CAL COMMISSION:</b>			

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Fund Sources Included In Appropriation Total			
	General Fund	Earmarked Funds	Appropriation Total
(a) Historical Resources Man- agement Program .....			133,825
(b) Capital Outlay Program ....			116,175
SOURCE OF FUNDS:			
(1) State General Fund .....	250,000		
Total St. Stephens Histori- cal Commission .....	250,000		250,000
126. SURFACE MINING COM- MISSION, ALABAMA:			
(a) Industrial Safety and Acci- dent Prevention Program ...			2,741,260
SOURCE OF FUNDS:			
(1) State General Fund- Transfer .....	424,460		
(2) Surface Mining Com- mission-Fees .....		463,400	
(3) Federal and Local Funds .....		1,103,400	
(4) Bond Forfeiture/Recla- mation Projects, Esti- mated .....		750,000	
As provided in Section 9- 16-103, Code of Ala- bama 1975.			
Total Alabama Surface Mining Commission .....	424,460	2,316,800	2,741,260
127. TENNESSEE-TOMBIGBEE WATERWAY DEVELOP- MENT AUTHORITY:			
(a) Water Resource Develop- ment Program .....			103,300
SOURCE OF FUNDS:			
(1) State General Fund .....	103,300		
Total Tennessee-Tombigbee Waterway Development Authority .....	103,300		103,300
128. TENNESSEE VALLEY EX- HIBIT COMMISSION OF ALABAMA:			
(a) Promotional Development Program .....			482,500



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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
To be expended in accordance with Sections 41-9-780 et seq., Code of Alabama 1975.			
SOURCE OF FUNDS:			
(1) State General Fund .....	248,500		
(2) Admissions and Concessions .....		234,000	
Total Tennessee Valley Exhibit Commission of Alabama .....	248,500	234,000	482,500

**129. TOURISM AND TRAVEL,  
BUREAU OF:**

(a) Tourism and Travel Promotion Program .....			10,735,529
Of the above appropriation to the Bureau of Tourism and Travel, \$250,000 shall be transferred to the Landmarks Foundation of Montgomery; \$25,000 shall be allocated to the Emerald Triangle Commission; \$500,000 shall be transferred to the Birmingham Arts Council for America's Smithsonian 150th Anniversary Exhibition; \$1,500,000 shall be transferred to Constitution Hall Village-Capital Outlay; and \$25,000 shall be transferred to the Childersburg Heritage Festival.			
SOURCE OF FUNDS:			
(1) State General Fund .....	3,095,000		
(2) Lodgings Tax (\$0.01) ..		7,640,529	
Receipts collected under the provisions of Sections 40-26-1, et seq., Code of Alabama 1975.			
Total Bureau of Tourism and Travel .....	3,095,000	7,640,529	10,735,529

**130. TRANSPORTATION, DE-  
PARTMENT OF:**

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Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds
		Appropriation Total
(a) Central Administration Program .....		26,323,063
(b) Division and District Su- pervision Program .....		31,185,399
(c) Operations and Support Services Program .....		12,328,740
(d) Maintenance Program .....		201,878,005
(e) Non-Programmatic Pro- grams.....		8,696,248
Proposed spending plan for the above (e) includes the following:		
Debt Service ..... 4,437,944		
Equipment - Other than Au- tomotive ..... 4,258,304		
(f) Construction-Federal Aid Program .....		520,651,290
Proposed spending plan for the above (f) includes the following:		
Federal Aid		
Matching ..... 129,754,329		
Non-Participating Work on Federal Projects .. 1,000,000		
Federal Aid .... 389,896,961		
(g) Construction-State Program		25,500,000
(h) Operations-Land and Build- ings Program .....		3,615,482
(i) Industrial Access Program ..		11,925,000
(j) Captive County Health In- surance Program .....		168,480
(k) Transfer to Department of Public Safety, in accordance with Act 91-797 .....		3,500,000
(l) Debt Service, General Ob- ligation Refunding Bonds, 1992 Series A and B.....		20,500,000
SOURCE OF FUNDS:		
(1) State General Fund- Transfer .....	125,000	
(2) Public Road and Bridge Fund .....		472,749,746
(3) Public Road and Bridge Fund-for transfer to De- partment of Public Safety .....		3,500,000
(4) Federal Aid .....		389,896,961
There is hereby appro-		

Fund Sources Included  
In Appropriation Total

General Fund	Earmarked Funds	Appropriation Total
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priated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, Alabama Federal Aid Highway Finance Authority, or Alabama Industrial Access Road and Bridge Corporation, a total of \$4,437,944 or so much thereof as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Director of Transportation with the consent of the Governor and the Director of Finance shall have the authority to transfer any appropriation or any portion thereof between and among Subsections (a), (b), (c), (d), (e), (f), (g), (h), and (i) of this Section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to

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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
the Department of Transportation: (1) the appropriation made for Debt Service in Subsection (e) hereof shall be paid in full, (2) the appropriations from the revenues accruing to the Department of Transportation that are herein made for the purposes referred to in Subsections (a), (b), (c), (d), (e), (f), (g), (h), and (i) except for Debt Service, hereof shall be allocated among the purposes referred to in said Subsections in such order and with such priorities as the Director of the Department of Transportation shall from time to time direct. The funds appropriated in Subsection (f) hereof, for the matching Federal Funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purposes for which such appropriations were made. In addition to all appropriations hereinabove made there is hereby appropriated to the Department of Transportation all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available.			
Total Department of Transportation .....	125,000	866,146,707	866,271,707

131. TREASURER, STATE:

(a) Fiscal Management Pro-

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	Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds	Appropriation Total
gram .....			7,916,655
SOURCE OF FUNDS:			
(1) State General Fund .....	2,990,686		
(2) Prepaid Affordable College Tuition Fund .....		4,041,594	
(3) Unclaimed Property Administrative Fund .... As provided in Section 35-12-39, Code of Alabama 1975.		750,000	
(4) Departmental Receipts ..		134,375	
Total State Treasurer .....	2,990,686	4,925,969	7,916,655

**132. UNIFORM STATE LAWS, ALABAMA COMMISSION ON:**

(a) Special Services Program, Estimated .....			30,000
SOURCE OF FUNDS:			
(1) State General Fund .....	30,000		
As provided in Section 41-9-374, Code of Alabama 1975.			
Total Alabama Commission on Uniform State Laws ....	30,000		30,000

**133. VETERANS' AFFAIRS, DEPARTMENT OF:**

(a) Administration of Veterans' Affairs Program .....			11,159,568
Of the above appropriation, \$7,500 shall be allocated to the Veterans Day Committee of Birmingham and \$9,500 shall be allocated for the Secretary of the Army's CASA.			
SOURCE OF FUNDS:			
(1) State General Fund .....	3,040,997		
(2) Veterans' Home Trust Fund-Transfer .....		8,118,571	
Total Department of Veterans' Affairs .....	3,040,997	8,118,571	11,159,568
In addition to the above appropriation to the Department of Veterans' Affairs,			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
there is hereby appropriated an amount up to \$500,000 from the State General Fund to be conditioned upon the availability of funds in the State General Fund and the approval of the Governor.				
134.	<b>VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:</b>			
(a)	Professional and Occupa- tional Licensing and Regu- lation Program .....			300,000
	SOURCE OF FUNDS:			
(1)	State Board of Veteri- nary Medical Examiners Fund .....		300,000	
	As provided in Section 34-29-70, Code of Ala- bama 1975.			
	Total Alabama State Board of Veterinary Medical Ex- aminers .....		300,000	300,000
135.	<b>VOTER REGISTRATION IDENTIFICATION PRO- GRAM:</b>			
(a)	Special Services Program ..			1,168,774
	SOURCE OF FUNDS:			
(1)	State General Fund .....	1,112,774		
(2)	Voter Registration Fund .....		56,000	
	Total Voter Registration Identification Program .....	1,112,774	56,000	1,168,774
136.	<b>WOMEN'S COMMISSION, ALABAMA:</b>			
(a)	Employment and Social Op- portunities Program .....			10,200
	SOURCE OF FUNDS:			
(1)	State General Fund .....	10,200		
	Total Alabama Women's Commission .....	10,200		10,200

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<b>137. WOMEN'S HALL OF FAME, ALABAMA:</b>				
(a) Historical Resources Man- agement Program .....				8.100
SOURCE OF FUNDS:				
(1) State General Fund .....	8,100			
Total Alabama Women's Hall of Fame .....	8,100			8.100
<b>138. YOUTH SERVICES, DE- PARTMENT OF:</b>				
(a) Youth Services Program ....				12,598.108
The above appropriation shall be expended in accordance with the provisions of Sections 44-1-1 through 44-1-56, Code of Alabama 1975. Of the above appropriation, \$100,000 shall be expended to train Juvenile Probation Officers in mediation/dispute resolution.				
(b) Youth Services-Boot Camp Programs .....				3,975.000
Of the above appropriation the minimum sum of \$1,100,000 shall be used for the Environmental Youth Corps Program in Mobile County.				
(c) Youth Services Operations Program .....				7,200.000
Of the above appropriation to the Department of Youth Services, \$300,000 shall be expended for the Wilderness Program; \$25,000 shall be expended at the Triana Youth Center; and \$75,000 shall be expended at the Coosa Valley Youth Center.				
SOURCE OF FUNDS:				
(1) State General Fund- Community Subsidy ....	6,429,108			
(2) State General Fund- Boot Camp Programs...	3,975.000			

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
(3) State General Fund- Youth Services Opera- tions Program .....		7,200,000		
(4) State General Fund-Ju- venile Probation Officers Subsidy .....		6,169,000		
Total Department of Youth Services .....		23,773,108		23,773,108
The above appropriation for Community Subsidy shall include at least \$103,425 for those nonsecure programs funded in fiscal year 1996- 97.				
<b>2D. OTHER FUNCTIONS OF GOVERNMENT FUNDED FROM THE STATE GEN- ERAL FUND:</b>				
<b>1. ARREST OF ABSCONDING FELONS:</b>				
(a) Criminal Investigation Pro- gram, Estimated .....				60,450
SOURCE OF FUNDS:				
(1) State General Fund .....		60,450		
As provided in Sections 15-9-1 and 15-9-3, Code of Alabama 1975.				
Total Arrest of Absconding Felons .....		60,450		60,450
<b>2. AUTOMATIC APPEAL EX- PENSE:</b>				
(a) Legal Advice and Legal Services Program, Esti- mated .....				82
SOURCE OF FUNDS:				
(1) State General Fund .....		82		
As provided in Sections 12-22-150 and 12-22- 241, Code of Alabama 1975.				
Total Automatic Appeal Ex- pense .....		82		82



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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
		Appropriation Total	
<b>3.</b>	<b>BUSKEY MATCHING FUNDS - PENNY TRUST FUND:</b>		
	(a) Special Services Program, Estimated .....		15,000
	SOURCE OF FUNDS:		
	(1) State General Fund- Transfer .....	15,000	
	In accordance with Sec- tions 41-15A-10 through 41-15A-12, Code of Ala- bama 1975.		
	Total Buskey Matching Funds - Penny Trust Fund ...	15,000	15,000
<b>4.</b>	<b>COURT ASSESSED COSTS NOT PROVIDED FOR:</b>		
	(a) Special Services Program, Estimated .....		2,400,000
	As provided in Sections 22- 52-14, 30-4-96, 26-17-17, 22-11A-1 through 22-11A- 41, 12-15-71 and 12-21-131, Code of Alabama 1975.		
	(b) Legal Advice and Legal Services Program .....		250,000
	It is the intent of the Legis- lature that the appropriation in this subsection be ex- pended for Court Costs to include costs of depositions, witness fees and expenses, filing and docket fees, court reporters, court judgments, attorneys fees, out-of-court settlements and other ex- penses ordered by the court or normally identified as costs of court, when any of the above is approved by the Attorney General.		
	(c) Automatic Appeal Cases Expense Program .....		40,000
	The above appropriation shall be used to reimburse reasonable expenses in-		

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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
curred by attorneys representing defendants under sentence of death in state collateral proceedings, such as those under Rule 32 of the Rules of Criminal Procedure. Provided, in no case may any amount be paid unless the court determines by written order in advance that the cost is both necessary and reasonable; in no single case may the total amount paid for all costs exceed \$5,000; and in no event may any amount be paid out of this appropriation as fees to any attorney for services, or to compensate any attorney for time either as an attorney in the proceeding or as a witness.			
SOURCE OF FUNDS:			
(1) State General Fund, Estimated .....	2,400,000		
(2) State General Fund .....	250,000		
(3) State General Fund-Automatic Appeal Cases .....	40,000		
Total Court Assessed Costs Not Provided For .....	2,690,000		2,690,000

**5. COURT COSTS-ACT NO. 558, 1957:**

(a) Court Operations Program, Estimated .....		100
SOURCE OF FUNDS:		
(1) State General Fund .....	100	
Pursuant to Act No. 558, 1957, Page 777.		
Total Court Costs-Act No. 558, 1957 .....	100	100

**6. DISTRIBUTION OF PUBLIC DOCUMENTS:**

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
(a) Administrative Support Services Program, Esti- mated .....				200,000
SOURCE OF FUNDS:				
(1) State General Fund .....		200,000		
As provided in Sections 36-14-1, 36-14-11, 17- 22A-11 and 41-21-8, Code of Alabama 1975.				
Total Distribution of Public Documents .....		200,000		200,000
<b>7. STATE DOCKS TRANSFER:</b>				3,500,000
SOURCE OF FUNDS:				
(1) State General Fund .....		3,500,000		
The above appropriation to the State Docks shall be con- ditioned upon the availabil- ity of funds and shall remain in the State General Fund until a demonstrated need is determined and recom- mended by the Director of Finance and approved by the Governor.				
Total State Docks Trans- fer .....		3,500,000		3,500,000
<b>8. ELECTION EXPENSES:</b>				
(a) Special Services Program, Estimated .....				4,000,000
(b) Training of Election Offi- cials .....				72,694
For payment of expenses pursuant to the court order entered by the U.S. District Court, Middle District of Alabama in Civil Action No. 84-T-595-N.				
SOURCE OF FUNDS:				
(1) State General Fund .....		4,000,000		
As provided in Section 17-21-6, Code of Ala- bama 1975.				
(2) State General Fund .....		72,694		

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
Total Election Expenses ....		4,072,694		4,072,694
9.	<b>EMERGENCY FUND, DE- PARTMENTAL:</b>			
(a)	Special Services Program..			2,776,431
	SOURCE OF FUNDS:			
	(1) State General Fund.....	2,776,431		
	This is the appropriation contemplated in Section 41-4-94, Code of Alabama 1975, and shall be the only amount appropriated and the total amount expended under the provisions of said section. This appropriation shall be expended solely for the purpose of addressing a financial emergency within a state department, board, commission, bureau, office or agency; provided, however, it is the intent of the Legislature that as much as necessary, not to exceed \$100,000, of the appropriation made within this subsection shall be expended for the legal expenses incurred by the Office of the President of the Senate or the Office of the Lieutenant Governor and that as much as necessary, not to exceed \$100,000, of the appropriation made within this subsection shall be expended for the legal expenses incurred by the Speaker of the House of Representatives. Of the above appropriation, \$500,000 may be used solely for emergency funding to child care and child protection agencies. None of the above appropriation shall be transferred to the Governor's Contingency Fund. At least			

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		Fund Sources Included In Appropriation Total	
		General Fund	Earmarked Funds
		Appropriation Total	
10 days prior to the release of any of this appropriation to any state department, board, commission, bureau, office or agency, the Director of Finance shall notify the Chairman of the Senate Committee on Economic Expansion and Trade, the Chairman of the House Committee on Ways and Means, and the Director of the Legislative Fiscal Office of such pending transfer.			
Total Departmental Emergency Fund .....		2,776,431	2,776,431
<b>10. FAIR TRIAL TAX TRANSFER:</b>			
(a) Court Operations Program, Estimated .....			6,900,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer .....		6,900,000	
Total Fair Trial Tax Transfer .....		6,900,000	6,900,000
<b>11. FEEDING OF PRISONERS:</b>			
(a) Institutional Services-Corrections Program, Estimated .....			5,037,500
SOURCE OF FUNDS:			
(1) State General Fund.....		5,037,500	
For expenses of feeding prisoners in county jails in accordance with Section 14-6-42, Code of Alabama 1975.			
Total Feeding of Prisoners ..		5,037,500	5,037,500
<b>12. FINANCE-CMIA, DEPARTMENT OF:</b>			
(a) Fiscal Management Program, Estimated .....			750,000

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1) State General Fund .....	750,000			
As provided in Section 41-4-38, Code of Ala- bama 1975.				
Total Department of Fi- nance-CMIA .....	750,000			750,000
<b>13. FINANCE, DEPARTMENT OF - EMPLOYEES' SUG- GESTION AWARDS PRO- GRAM:</b>				
(a) Fiscal Management Pro- gram .....				20,000
SOURCE OF FUNDS:				
(1) State General Fund .....	20,000			
In accordance with Sec- tion 36-1-7, Code of Ala- bama 1975.				
Total Department of Finance - Employees' Suggestion Awards Program .....	20,000			20,000
<b>14. FINANCE-FEMA, DE- PARTMENT OF:</b>				
(a) Readiness and Recovery Program, Estimated .....				1,000,000
Payments of the State's share of administrative costs and matching grants fur- nished by the Federal Emer- gency Management Agency.				
SOURCE OF FUNDS:				
(1) State General Fund .....	1,000,000			
Total Department of Fi- nance-FEMA .....	1,000,000			1,000,000
The above appropriation is hereby appropriated from the State General Fund to be conditioned upon the decla- ration of a natural disaster area by the President of the United States and condi- tioned further upon the re- quirement by the Federal				

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Fund Sources Included  
In Appropriation Total

	General Fund	Earmarked Funds	Appropriation Total
Emergency Management Agency or the U.S. Soil and Conservation Service for the State of Alabama to pay a state match for FEMA or SCS grants and conditioned upon the availability of funds in the State General Fund and the approval of the Governor.			
<b>15. FOREST FIRE FUND, EMERGENCY:</b>			
(a) Forest Resources Protection and Development Program .....			180,000
SOURCE OF FUNDS:			
(1) State General Fund-Transfer .....	180,000		
The appropriation to the Emergency Forest Fire Fund shall be conditioned as provided by Section 9-3-10.1, Code of Alabama 1975, and shall remain in the State General Fund until a demonstrated need is determined and recommended by the Director of Finance and approved by the Governor.			
Total Emergency Forest Fire Fund .....	180,000		180,000
<b>16. FREDDIE LEE GAINES:</b>			
(a) Special Services Program ..			100,000
In accordance with Act 96-579.			
SOURCE OF FUNDS:			
(1) State General Fund .....	100,000		
Total Freddie Lee Gaines ..	100,000		100,000
<b>17. GOVERNOR'S CONFERENCE, NATIONAL:</b>			

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
(a) Executive Direction Pro- gram, Estimated .....				173,602
SOURCE OF FUNDS:				
(1) State General Fund .....		173,602		
Total National Governor's Conference .....		173,602		173,602
<b>18. GOVERNOR'S PROCLAMA- TION EXPENSES:</b>				
(a) Executive Direction Pro- gram, Estimated .....				200,000
SOURCE OF FUNDS:				
(1) State General Fund .....		200,000		
As provided in Section 17-14-21, Code of Ala- bama 1975.				
Total Governor's Procla- mation Expenses .....		200,000		200,000
<b>19. GOVERNOR'S WIDOW RETIREMENT:</b>				
(a) Executive Direction Pro- gram, Estimated .....				14,400
SOURCE OF FUNDS:				
(1) State General Fund .....		14,400		
As provided in Section 36-13-12, Code of Ala- bama 1975.				
Total Governor's Widow Retirement .....		14,400		14,400
<b>20. LAW ENFORCEMENT FUND:</b>				
(a) Criminal Investigation Pro- gram, Estimated .....				150,000
SOURCE OF FUNDS:				
(1) State General Fund .....		150,000		
As provided in Sections 28-4-311 and 28-4-312, Code of Alabama 1975.				
Total Law Enforcement Fund .....		150,000		150,000
<b>21. LAW ENFORCEMENT</b>				



		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
<b>LEGAL DEFENSE:</b>				
(a) Legal Advice and Legal Services Program, Esti- mated .....				2,000
SOURCE OF FUNDS:				
(1) State General Fund .....	2,000			
To carry out provisions of Section 36-21-1, Code of Alabama 1975.				
Total Law Enforcement Le- gal Defense .....	2,000			2,000
<b>22. MILITARY - EMERGENCY ACTIVE DUTY PAY:</b>				
(a) Military Operations Pro- gram, Estimated .....				200,000
SOURCE OF FUNDS:				
(1) State General Fund .....	200,000			
As provided in Section 31-2-133, Code of Ala- bama 1975.				
Total Military - Emergency Active Duty Pay .....	200,000			200,000
<b>23. PRINTING OF CODE SUPPLEMENTS - LEGISLA- TIVE REFERENCE SER- VICE:</b>				
(a) Legislative Operations and Support Program, Esti- mated .....				114,880
SOURCE OF FUNDS:				
(1) State General Fund .....	114,880			
As provided in Section 29-7-6, Code of Alabama 1975.				
Total Printing of Code Sup- plements - Legislative Ref- erence Service .....	114,880			114,880
It is the intent of the Legis- lature that the number of Codes and Supplements printed and distributed shall be limited to the minimum				

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		Fund Sources Included In Appropriation Total		
		General Fund	Earmarked Funds	Appropriation Total
number actually needed, utilized and required by law. Procedures should be adopted to verify the need and utility of required printed sets to insure printing cost savings when possible.				
24.	<b>PRINTING CODES AND SUPPLEMENTS - SECRETARY OF STATE:</b>			
(a)	Administrative Support Services Program, Estimated .....			121,317
	SOURCE OF FUNDS:			
(1)	State General Fund .....	121,317		
	As provided in Sections 41-21-1 through 41-21-8 and 41-4-154, Code of Alabama 1975.			
Total Printing Codes and Supplements - Secretary of State .....		121,317		121,317
It is the intent of the Legislature that the number of Codes and Supplements printed and distributed shall be limited to the minimum number actually needed, utilized and required by law. Procedures should be adopted to verify the need and utility of required printed sets to insure printing cost savings when possible.				
25.	<b>PRINTING OF LEGISLATIVE ACTS AND JOURNALS:</b>			
(a)	Administrative Support Services Program, Estimated .....			443,385
	SOURCE OF FUNDS:			
(1)	State General Fund .....	443,385		
	As provided in Sections 41-4-130 through 41-4-			

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		Fund Sources Included <u>In Appropriation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
161, Code of Alabama 1975.				
Total Printing of Legislative Acts and Journals .....		443,385		443,385
<b>26. REGISTRATION OF VOTERS:</b>				
(a) Special Services Program, Estimated .....				2,800,000
SOURCE OF FUNDS:				
(1) State General Fund .....	2,800,000			
In accordance with Sec- tions 17-4-126 and 17-4- 153, Code of Alabama 1975.				
Total Registration of Voters .....		2,800,000		2,800,000
<b>27. REMOVAL OF PRISONERS:</b>				
(a) Administrative Services and Logistical Support Program, Estimated .....				400,000
SOURCE OF FUNDS:				
(1) State General Fund .....	400,000			
As provided in Sections 15-10-70 through 15-10- 73, 15-9-62, 15-9-65 and 15-9-81, Code of Ala- bama 1975.				
Total Removal of Pris- oners .....		400,000		400,000
<b>28. STATE GENERAL FUND, ESTIMATED:</b>				51,300,000
SOURCE OF FUNDS:				
(1) Heritage Trust Income Fund Transfer, Esti- mated .....			51,300,000	
All income other than in- come realized on the sale of Trust Fund assets and not otherwise appropri- ated herein.				
Total State General Fund,				

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		Fund Sources Included In <u>Apropiation Total</u>		
		General Fund	Earmarked Funds	Appropriation Total
Estimated .....			51,300,000	51,300,000
2E.	<b>DEBT SERVICE FUNDED FROM THE STATE GEN- ERAL FUND:</b>			
1.	General Obligation Waterway Refunding Bonds, Series 1992, Estimated .....			3,003,085
	SOURCE OF FUNDS:			
	(1) State General Fund, Estimated .....	3,003,085		
	Total General Obligation Waterway Refunding Bonds, Series 1992, Estimated.....	3,003,085		3,003,085
2.	Music Hall of Fame Bonds, Estimated .....			350,250
	SOURCE OF FUNDS:			
	(1) State General Fund, Estimated .....	350,250		
	Pursuant to Constitu- tional Amendment No. 489 as provided in Act 88-549, 1988 Regular Session.			
	Total Music Hall of Fame Bonds, Estimated .....	350,250		350,250
3.	Corrections Institutions Bonds, Estimated .....			1,190,000
	SOURCE OF FUNDS:			
	(1) State General Fund, Estimated .....	1,190,000		
	Pursuant to Constitu- tional Amendment No. 374 as provided for in Act No. 134, 1978 Sec- ond Special Session.			
	Total Corrections Institu- tions Bonds, Estimated.....	1,190,000		1,190,000
4.	General Obligation Capital Bonds, 1990 Series, Estimated .....			1,904,515
	SOURCE OF FUNDS:			
	(1) State General Fund, Estimated .....	1,904,515		
	Pursuant to Constitu-			

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Fund Sources Included In Appropriation Total		
	General Fund	Earmarked Funds      Appropriation Total
tional Amendment No. 510 as provided for in Act 89-799, 1989 Regu- lar Session.		
Total General Obligation Capital Bonds, 1990 Series, Estimated .....	1,904,515	1,904,515
5. General Obligation Refunding Bonds, 1992, Series A and B, Estimated .....		23,707,562
SOURCE OF FUNDS:		
(1) State General Fund, Estimated .....	23,707,562	
Total General Obligation Refunding Bonds, 1992, Series A and B, Estimated ..	23,707,562	23,707,562

**SECTION 3.** That, except as may be herein otherwise provided, amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 et seq., Code of Alabama 1975, and the Budget Management Act of 1976, Sections 41-19-1 et seq., Code of Alabama 1975.

**SECTION 4.** That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission or agency is insufficient to pay salaries in that office, department, bureau, board, commission or agency.

**SECTION 5.** In addition to appropriations herein made, all gifts, grants, contributions or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency,

institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

**SECTION 6.** Upon certification to the Director of Finance by the State Attorney General that a federal court has ordered the State of Alabama to pay claims, attorney fees, or other costs relating to said court order, funds are hereby appropriated to the affected department, board, bureau, or commission from the appropriate fund or funds of such department, board, bureau or commission in the amount necessary to satisfy that court order. Such appropriations are in addition to any other appropriation heretofore or hereafter made in this appropriation act. Such appropriations are conditioned upon the availability of funds and a determination by the Director of Finance that other current appropriations are not available for the court-ordered payments.

**SECTION 7.** All interest earned from funds paid into Account No. 396 (formerly Account No. 305735) by Act 87-761, Act 88-947, Act 89-79, Act 90-556 and Act 91-572 are hereby appropriated to the Governor's Contingency Fund to be spent at the discretion of the Governor. Any other interest earned by the state from Revenue Sharing Investments under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, together with any accruals or reversions thereon are hereby appropriated to the State General Fund.

**SECTION 8.** All encumbered balances of a previous fiscal year appropriation, other than the exclusions authorized in Section 41-4-93, Code of Alabama 1975, shall lapse no later than September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the State General Fund or earmarked fund from which the appropriation or appropriations were made.

**SECTION 9.** The appropriations made herein to the departments, boards, offices, commissions and agencies include the amounts necessary and said departments, boards, offices, commissions and agencies are hereby directed to make the transfer of funds to the State Personnel Department in said amounts enumerated in this Act. All agencies enumerated in this Act and receiving services from other governmental agencies enumerated in this

Act shall make full payment in a timely manner (as determined by the Department of Finance) for such services.

**SECTION 10.** (a) Funds appropriated from the State General Fund or earmarked state funds in this act to any state department, division, board, bureau, commission, agency, institution, or office (with the exception of local boards of education, the Department of Transportation, and the legislative branch of government) shall not be expended for the purchase or lease of automotive vehicles. Notwithstanding the foregoing, the Department of Public Safety may purchase automotive vehicles to be used for direct law enforcement purposes only. The Department of Public Safety may not transfer automotive vehicles from law enforcement personnel nor vehicles designated for law enforcement purposes to other personnel in that department nor shall vehicles be transferred to be used for any other purpose in that department nor transferred to any other state agency. The Department of Public Safety may transfer surplus automobiles (those with over 100,000 miles) without the approval required in this section. A state agency may request to purchase or lease automotive vehicles for emergency purposes. The request shall be made in writing to the Director of Finance, the Chairman of the House Committee on Ways and Means, and the Chairman of the Senate Committee on Economic Expansion and Trade. The request shall explain the nature of the automotive purchase or lease and the emergency need for the vehicle. The request shall be approved unanimously by the Director of Finance, the Chairman of the House Committee on Ways and Means, and the Chairman of the Senate Committee on Economic Expansion and Trade prior to the purchase or lease of any automotive vehicle.

(b) No funds appropriated in this Act shall be expended for the purpose of purchasing optional equipment on state motor vehicles that consist of stereo equipment, power seats, leather upholstery, premium wheel covers, deluxe exterior trim, or sun roofs.

**SECTION 11.** It is the intent of the Legislature that the Finance Director shall notify the Chair of the House Committee on Ways and Means and the Chair of the Senate Committee on Economic Expansion and Trade of any inter-agency transfers, of any type, including contracting, of any of the funds appropriated in the Act.

**SECTION 12.** It is the intent of the Legislature that each agency receiving an appropriation in this appropriations act shall certify to the Department of Finance that it has a plan for its data processing and other computerized systems to become Year 2000 compliant. As part of the annual plan of operation, each agency shall certify in writing that the Year 2000 compliance plan is or will be implemented in a timely manner. This plan shall encompass those programs which are critical and necessary to the essential delivery of services to citizens, local governments, the federal

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government and other state entities. Each Year 2000 compliance plan shall be based on standards for data storage and exchange as established by the Department of Finance.

**SECTION 13.** If any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

**SECTION 14.** All laws and parts of laws, general, special, private or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

**SECTION 15.** Each agency of the State funded through the provisions of this Act shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

**SECTION 16.** This Act shall become effective October 1, 1997.

And said Bill, HB 98, as thus amended by the Report of the Committee on Conference, was again read and passed.

And said Bill, HB 98, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

GREG PAPPAS,  
Clerk.

### **HOUSE AND CONFERENCE MESSAGE**

On motion of Senator Freeman, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, HB 98, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers,



Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

**HB 54.** Requiring the Code Commissioner to have acts of the Legislature and the Code of Alabama 1975 copyrighted; permitting state agencies to purchase the code and abolishing portions of the present distribution system; providing that the contract for the publishing and selling of the Code of Alabama 1975 shall not be subject to laws regarding competitive bidding contracts; providing for the determination of the price the publisher will charge for the sale of the code; providing for maintenance of distribution records, ownership, judicial action for the value of misappropriated codes, and appropriations; permitting the Code Commissioner, upon a determination by the Legislative Council, to contract for the publishing of compilations of portions of the code regarding a specific state agency; repealing provisions regarding lost or destroyed copies and distribution; amending Sections 36-13-5, 41-21-1, 41-21-4, 41-21-5, 41-21-6, 41-21-7, and 41-21-8, Code of Alabama 1975; repealing Sections 41-21-2 and 41-21-3, Code of Alabama 1975; and providing a prospective effective date for certain sections of the act.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on part of the House, Reps. Newton (D), Hill, and Hilliard.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Mitchem, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 54, the title of which is set out in the foregoing Message from the House.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Senators Lindsey, Hale, and Mitchell.

### **BUDGET ISOLATION RESOLUTION**

Senator Mitchem requested and received permission to suspend the Rules in order to bring up the Bill, HB 917.

Senator Mitchem, B.I.R., HB 917, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 917.** To amend Section 40-23-1, as amended by Act 96-887, and Section 40-23-60, Code of Alabama 1975, relating to the sales and use taxes, to clarify the definition of certain property that is excluded from the sales tax and the use tax as sales at wholesale, to make the definitions of such property the same in the use tax as in the sales tax, and to provide for a retroactive effect.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Poole requested and received permission to suspend the Rules in order to bring up the Bill, HB 964.

Senator Poole, B.I.R., HB 964, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Freeman, Ghee, Hale, Lipscomb, Little, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 964.** To provide for the per diem compensation of members of the Tuscaloosa County Board of Registrars and to specifically repeal Act 557, H. 1300, 1977 Regular Session (Acts 1977, p. 747).

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Escott-Russell, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Steele, and Windom -25

Nays: - 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 964, was passed, and further moved that the motion to recon-

sider be laid on the table. The motion to table prevailed.

### BUDGET ISOLATION RESOLUTION

Senator Poole then requested and received permission to suspend the Rules in order to bring up the Bill, HB 739.

Senator Poole, B.I.R., HB 739, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Clay, Davidson, Dial, Escott-Russell, Ghee, Hale, Hill, Langford, Lipscomb, Little, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 739.** To establish procedures for Class 4 municipalities organized under Chapter 44B of Title 11 of the Code of Alabama 1975, to delete nonurban territory from its police jurisdiction or planning jurisdiction; to provide for public hearings to consider the issue; to provide for public notice and advertisement of the public hearings; to require notice to the county commission and authorizing the county commission to approve or disapprove of the same; to provide for the adoption of an ordinance deleting certain territory from the respective police jurisdiction or planning jurisdiction of the municipality subject to the limitation that the ordinance shall not take effect for a period of 90 days from the date of its adoption and that no territory may be deleted which has been designated as an "urban area" according to the preceding Federal Decennial Census; to provide that in the areas deleted from the police jurisdiction, the municipality shall cease collecting license taxes and sales taxes and use taxes pursuant to Sections 11-51-91 and 11-51-206 of the Code of Alabama 1975, and that any licenses collected shall be prorated; to provide that the municipality shall also terminate services within the territory deleted from the municipality and that the termination on the levy and collection of license taxes, sales taxes and use taxes, or services shall not subject the municipality to liability or damages arising out of or associated with the decision nor shall the action or statutes be construed to obligate or compel the municipality to continue to provide the services; to provide that the deletion of territory will not affect certain mutual aide agreements, emergency rescue agreements, or joint law enforcement activities; to provide that certain other sources of

revenue within the territory are preserved to the extent that they have been implemented by other legislative enactments or amendments thereto; to provide that any municipality deleting territory from its planning jurisdiction shall not, after the effective date of the ordinance, exercise planning commission control in any area located in the territory; to provide that municipalities which elect to delete certain territory from its respective police jurisdiction or planning jurisdiction are not limited to or restricted in providing water, sewer, or solid waste services within the territory; to provide that nothing in the act shall prohibit the municipality from subsequently annexing any territory deleted, but that any subsequent annexations shall not re-extend the municipality's respective police jurisdiction or planning jurisdiction over territories which have been deleted therefrom pursuant to this act; and to provide that the municipality shall delete code enforcement services from the territories.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Clay, Davidson, Denton, Dial, Dixon, Freeman, Ghee, Hill, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 739, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### **BUDGET ISOLATION RESOLUTION**

Senator Poole then requested and received permission to suspend the Rules in order to bring up the Bill, HB 1102.

Senator Poole, B.I.R., HB 1102, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dixon, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Poole, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

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**HB 1102.** Relating to Tuscaloosa County; providing for an advisory referendum on the status of the unincorporated community of Holt.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Steele, and Waggoner  
-25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 1102, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**BUDGET ISOLATION RESOLUTION**

Senator Smith, B.I.R., HB 546, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Smith, Smitherman, and Windom  
-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 546.** Relating to St. Clair County; providing for additional costs and charges in all district and juvenile court cases; providing for the establishment of a Juvenile Court Services Fund; providing for collection of expenses incurred by the county in detaining a juvenile; and providing for the distribution of the funds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Biddle, Butler, Clay, Denton, Dial, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Little, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 712, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Escott-Russell, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 712.** Relating to Conecuh County; to amend Section 2 of Act No. 88-281, p. 436, 1988 Regular Session, to authorize the county commission to pay additional amounts from the county general fund to Willie Lee Powell so long as the funds are available.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hale, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, and Steele-25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Ghee, B.I.R., HB 747, adopted.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Butler, Clay, Davidson, Denton, Dixon, Ghee, Hill, Langford, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 747.** Relating to the City of Jacksonville in Calhoun County; to provide the term of the members of the city board of education would run from October of even years; and for this purpose extending the term of members.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Ghee, Hale, Hill, Langford, Lindsey, Little, Mitchem, Myers, Poole, Sanders, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Barron, B.I.R., HB 748, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Lipscomb, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 748.** Relating to Jackson County; amending Section 4 of Act



No. 89-265, H. 523 of the 1989 Regular Session (Acts 1989, p. 389), to remove the prohibition against the directors and chair serving more than two terms.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Biddle, Butler, Davidson, Denton, Dial, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Little, B.I.R., HB 809, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Denton, Dial, Ghee, Hale, Hill, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

**HB 809.** Relating to Lee County; authorizing the sheriff to operate an inmate commissary for prisoners in county custody; providing for the deposit, distribution, and auditing of monies earned; and confirming and ratifying certain prior actions.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Bedford, Biddle, Butler, Clay, Dial, Dixon, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, Mitchell, Mitchem, My-

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ers, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Roberts, B.I.R., HB 827, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Freeman, Ghee, Hale, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, and Waggoner -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 827.** Relating to the Town of Courtland in Lawrence County; authorizing the Town of Courtland as a municipal corporation to establish, purchase, construct, maintain, and operate a television cable system and to furnish television cable service to the residents of the town and to residents of the municipal corporations and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by the municipal corporation in connection with the systems; providing for the payment of the bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Myers, Poole, Roberts, Steele, and Waggoner -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 859, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Denton, Dixon, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 859.** Relating to the Town of Pollard, Alabama, in Escambia County; to amend Sections 1, 2, and 3 of Act No. 92-389, H. 747 of the 1992 Regular Session of the Alabama Legislature (Acts 1992, p. 798); to restrict the use of the Town of Pollard Trust Account; to require an audit of the account; to provide for the membership of the board of trustees of the account, to require that account earnings be maintained in a separate account; and to provide that the fund may be terminated by four-fifths of the electors voting in a special referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hill, Lindsey, Lipscomb, McClain, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 860, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Dial,

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Dixon, Escott-Russell, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchem, Myers, Poole, Roberts, Sanders, Smith, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 860.** To abolish the Office of Coroner in Escambia County and to establish the office of county medical examiner and assistant county medical examiners; to provide for the powers and duties of the county medical examiner, and the state medical examiners relative to deaths occurring in Escambia County; to provide for funding an an effective date; and to repeal conflicting laws.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Clay, Davidson, Denton, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays: - 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 76.** To amend Section 32-5A-191 of the Code of Alabama 1975, as last amended by Act No. 96-705, S. 182, 1996 Regular Session, relating to driving under the influence of alcohol and drugs and fines on convictions therefor, to further provide for the \$100 fine for distribution to the Impaired Drivers Trust Fund, after administrative costs; to further provide for the collection and distribution process of certain funds to the Impaired Drivers Trust Fund presently specified in Section 32-5A-191.1 and to repeal Section 32-5A-191.1, Code of Alabama 1975, relating to the fines

designated for the Impaired Drivers Trust Fund; and to provide for a delayed effective date.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 194.** To make an appropriation to the Department of Public Health from the State General Fund in the amount of \$11,506,144 for the fiscal year ending September 30, 1998, for educational purposes.

GREG PAPPAS,  
Clerk.

**BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 861, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Davidson, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, and Windom  
-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 861.** Relating to Escambia County; to levy an additional privilege and license tax and to provide for the collection, distribution, and use of the net proceeds of the additional tax, contingent only upon the repeal of Escambia County Resolution/Ordinance Number 3, approved September 23, 1991.

was read a third time at length and passed.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Amari, Bailey, Barron, Biddle, Clay, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, HB 1038.

Senator Windom, B.I.R., HB 1038, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Freeman, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 1038.** To propose an amendment to the Constitution of Alabama of 1901 to provide that elected public officials may not assume a supernumerary office after the effective date of this amendment and to provide that certain elected public officials in Mobile County may participate in the Employee's Retirement System.

was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Barron, Bedford, Butler, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

**HB 312.** Relating to elections; amending Sections 17-22A-2, 17-22A-7, 17-22A-22, 36-25-1, 36-25-6, 36-25-14, and 36-25-15, Code of Alabama 1975, to further regulate the financing of political campaigns and to provide further for penalties for violations.

said Conference Report being in words and figures as follows:

**REPORT OF CONFERENCE COMMITTEE ON HB 312**

We, the Committee of Conference appointed to reconcile the difference between the two Houses concerning HB 312 have met, considered the matter, and agreed to the following:

JACK B. VENABLE,  
MICHAEL ROGERS,  
DEMETRIUS C. NEWTON,

Conferees on the part of the House.

GERALD DIAL,  
DEWAYNE FREEMAN,  
LARRY DIXON,

Conferees on the part of the Senate.

**CONFERENCE COMMITTEE SUBSTITUTE FOR HB 312**

A BILL  
TO BE ENTITLED  
AN ACT

Relating to elections; amending Sections 17-22A-2, 17-22A-7, 17-22A-22, 36-25-1, 36-25-6, 36-25-14, and 36-25-15, Code of Alabama 1975, to further regulate the financing of political campaigns and to provide further for penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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Section 1. Sections 17-22A-2, 17-22A-7, 17-22A-22, 36-25-1, 36-25-6, 36-25-14, and 36-25-15, Code of Alabama 1975, are amended to read as follows:

“§17-22A-2.

“(a) For purposes of this chapter, ~~unless a different meaning clearly appears in the context,~~ the following terms shall have the following meanings ascribed in this section:

“(1) CANDIDATE. An individual who has done any of the following:

“a. Taken the action necessary under the laws of the state to qualify himself or herself for nomination or for election to any state office or local office or in the case of an independent seeking ballot access, on the date when he or she files a petition with the ~~probate judge of probate~~ in the case of county offices, with the appropriate qualifying municipal official in the case of municipal offices, or the Secretary of State in all other cases; ~~or.~~

“b. Received contributions or made expenditures, or given his or her consent for any other person or persons to receive contributions or make expenditures, with a view to bringing about his or her nomination or election to any state office or local office. ~~Provided, however, that Notwithstanding the foregoing,~~ no person shall be considered a candidate within the meaning of this subdivision until ~~such the time as that~~ he or she has either received contributions or made expenditures as provided herein in the following amounts:

“1. ~~Ten~~ Twenty-five thousand dollars (\$25,000) or more, with a view toward bringing about nomination or election to any state office other than one filled by election of the registered voters of any circuit or district within the state;

“2. ~~Three~~ Five thousand dollars (\$5,000) or more, with a view toward bringing about nomination or election to any state office, excluding legislative office, filled by election of the registered voters of any circuit or district; ~~and.~~

“3. Ten thousand dollars (\$10,000) or more, with a view toward bringing about nomination or election to the Alabama Senate and five thousand dollars (\$5,000) or more, with a view toward bringing about nomination or election to the Alabama House of Representatives.

“3 4. One thousand dollars (\$1,000) or more, with a view toward



bringing about nomination or election to any local office.

“(2) CONTRIBUTION.

“a. ~~The~~ Any of the following shall be considered ~~contributions~~ a contribution:

“1. A gift, subscription, loan, advance, deposit of money or anything of value, a payment, a forgiveness of a loan, or payment of a third party, made for the purpose of influencing the result of an election;.

“2. A contract or agreement to make a gift, subscription, loan, advance, or deposit of money or anything of value for the purpose of influencing the result of an election;.

“3. Any transfer of anything of value received by a political committee from another political committee, political party, or other source;.

“4. The payment of compensation by any person for the personal services or expenses of any other person if ~~such the~~ services are rendered or expenses incurred on behalf of a candidate, political committee, or political party without payment of full and adequate compensation by ~~such the~~ candidate, political committee, or political party. Provided, however, that the payment of compensation by a corporation for the purpose of establishing, administering, or soliciting voluntary contributions to a separate, segregated fund as permitted by Section 10-1-2, shall not constitute a contribution.

“b. The term “contribution” does not include:

“1. The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee;.

“2. The use of real or personal property and the cost of invitations, food, or beverages, voluntarily provided by an individual to a candidate or political committee in rendering voluntary personal services on the individual’s residential or business premises for election-related activities;.

“3. The sale of any food or beverage by a vendor for use in an election campaign at a charge to a candidate or political committee less than the normal comparable charge, if ~~such the~~ charge to the political committee for use in an election campaign is at least equal to the cost of ~~such the~~ food or beverage to the vendor;.

“4. Any unreimbursed payment for travel expenses made by an

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individual who on his or her own behalf volunteers personal services to a candidate or political committee; ~~or.~~

“5. The payment by a state or local committee of a political party of the cost of preparation, display, or mailing or other distribution incurred by ~~such the~~ committee with respect to a printed slate card or sample ballot, or other printed listing of two or more candidates for any public office for which an election is held in the state, except that this subparagraph shall not apply in the case of costs incurred by ~~such the~~ committee with respect to a display of ~~any such the~~ listing made on broadcasting stations, or in newspapers, magazines, or other similar types of general public political advertising.

“6. The value or cost of polling data and voter preference data and information if provided to a candidate or political committee, unless ~~such the~~ information was compiled with the advance knowledge of and approval of the candidate or the political committee.

“(3) ELECTION. Unless otherwise specified, any general, special, primary, or runoff election, or any convention or caucus of a political party held to nominate a candidate, or any election at which a constitutional amendment or other proposition is submitted to the popular vote.

“(4) EXPENDITURE.

“a. The following shall be considered expenditures:

“1. A purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value; made for the purpose of influencing the result of an election; ~~or.~~

“2. A contract or agreement to make any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, for the purpose of influencing the result of an election; ~~or.~~

“3. The transfer, gift, or contribution of funds of a political committee to another political committee.

“b. The term “expenditure” does not include:

“1. Any news story, commentary, or editorial prepared by and distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless ~~such the~~ facilities are owned or controlled by any political party or political committee; ~~or.~~

"2. Nonpartisan activity designed to encourage individuals to register to vote, or to vote;.

"3. Any communication by any membership organization to its members or by a corporation to its stockholders and employees if ~~such the~~ membership organization or corporation is not organized primarily for the purpose of influencing the result of an election;.

"4. The use of real or personal property and the cost of invitations, food, or beverages, voluntarily provided by an individual in rendering voluntary personal services on the individual's residential or business premises for election-related activities;.

"5. Any unreimbursed payment for travel expenses made by an individual who, on his or her own behalf, volunteers personal services to a candidate or political committee;.

"6. Any communication by any person which is not made for the purposes of influencing the result of an election; or.

"7. The payment by a state or local committee of a political party of the cost of preparation, display, or mailing or other distribution incurred by ~~such the~~ committee with respect to a printed slate card or sample ballot, or other printed listing of two or more candidates for any public office for which an election is held in the state, except that this subparagraph shall not apply in the case of costs incurred by ~~such the~~ committee with respect to a display of ~~any such the~~ listing made on broadcasting stations, or in newspapers, magazines, or other similar types of general public political advertising.

"(5) IDENTIFICATION. The full name and complete address.

"(6) LOAN. A transfer of money, property, or anything of value in consideration of a promise or obligation, conditional or not, to repay in whole or part.

"(7) LOCAL OFFICE. Any office under the constitution and laws of the state, except circuit, district, or legislative offices, filled by election of the registered voters of a single county or municipality, or by the voters of a division contained within a county or municipality.

"(8) PERSON. An individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.

"(9) PERSONAL AND LEGISLATIVE LIVING EXPENSES.

Household supplies, personal clothing, tuition payments, mortgage, rent, or utility payments for a personal residence; admission to an entertainment event or fees for a country club or social club, unless tied to a specific campaign event or functions involving constituents; and any other expense, excluding food and beverages, that would exist irrespective of the candidate's campaign or duties as a legislator. Personal and legislative living expenses shall not include expenses for food, beverages, travel, or communications incurred by the legislator in the performance of the office held.

~~“(9) (10)~~ POLITICAL COMMITTEE. Any political committee, club, association, principal campaign committee, political party, or other group of one or more persons which receives or anticipates receiving contributions or makes or anticipates making expenditures to or on behalf of any elected official, proposition, candidate, principal campaign committee or other political committee. For the purposes of this chapter, an individual who makes a personal political contribution, ~~(other than a candidate who makes a contribution to himself or herself)~~, shall not be considered a political committee.

~~“(10) (11)~~ PRINCIPAL CAMPAIGN COMMITTEE. The principal campaign committee designated by a candidate under Section 17-22A-4. A political committee established primarily to benefit an individual candidate or an individual elected official shall be considered a principal campaign committee for purposes of this chapter.

~~“(11) (12)~~ PROPOSITION. Any proposal for submission to the general public for its approval or rejection, including proposed as well as qualified ballot questions.

~~“(13) PUBLIC OFFICIAL. Any person elected to public office, whether or not that person has taken office, by the vote of the people at state, county, or municipal level of government or their instrumentalities, including governmental corporations, and any person appointed to a position at the state, county, or municipal level of government or their instrumentalities, including governmental corporations. For purposes of this chapter, a public official includes the chairs and vice-chairs or the equivalent offices of each state political party as defined in Section 17-16-2.~~

~~“(12) (14)~~ STATE. The State of Alabama.

~~“(13) (15)~~ STATE OFFICE. All offices under the constitution and laws of the state filled by election of the registered voters of the state or of any circuit or district and shall include legislative offices.

“(b) The words and terms used in this chapter shall have the same

meanings respectively ascribed to them in Section 36-25-1, Code of Alabama 1975.

“§17-22A-7.

~~“(a) Amounts received by a principal campaign committee as contributions and any proceeds from investing such contributions that are in excess of any amount necessary to defray expenditures of the candidate represented by such committee, may be used by the candidate to defray any ordinary and necessary expenses, as defined in subsections (a), (b), and (e)(1) of Section 162 of Title 26 of U.S. Code, as it existed on May 5, 1993, incurred by him or her in connection with his or her duties as a holder of office, may be contributed by him or her to any organization described in Section 170(c), Section 501(c), or any other charitable, educational, or eleemosynary cause of Title 26 of U.S. Code, may be transferred to another political committee, or may be deposited into the State General Fund or the Alabama Special Educational Trust Fund or any department or agency therein funded. Contributions to an office holder shall not be converted to personal use. For purposes of this section, personal use shall not include room, telephones, office expenses and equipment, housing rental, meals, and travel expenses incurred in connection with the duties as a holder of office.~~

“(a) A candidate, public official, or principal campaign committee as defined in this chapter, may only use campaign contributions, and any proceeds from investing the contributions that are in excess of any amount necessary to defray expenditures of the candidate, public official, or principal campaign committee, for the following purposes:

“(1) Necessary and ordinary expenditures of the campaign.

“(2) Expenditures that are reasonably related to performing the duties of the office held. For purposes of this section, expenditures that are reasonably related to performing the duties of the office held do not include personal and legislative living expenses, as defined in this chapter.

“(3) Donations to the State General Fund, the Education Trust Fund, or equivalent county or municipal funds. Donations to an organization to which a federal income tax deduction is permitted under subparagraph (A) of paragraph (1) of subsection (b) of Section 170 of the Internal Revenue Code of 1986, as amended, or any other charitable, educational, or eleemosynary cause of Section 501 of Title 26 of the U. S. Code.

“(4) Transfers to another political committee as defined in this chapter.

“(5) Inaugural or transitional expenses incurred after October 1, 1995.

“(b) Candidates for state offices and their principal campaign committees designated in the statement filed with the Secretary of State pursuant to Section 17-22A-4 on behalf of persons seeking or holding those offices, may not solicit or accept, or both, contributions during the period when the Legislature is convened in session. For the purposes of this section, the Legislature is considered convened in session at any time from the opening day of the special or regular session and continuing through the day of adjournment sine die for that session. This subsection (b) shall not apply within 120 days of any primary, run-off, or general election and shall not apply to the candidates or principal campaign committees participating in any special election called by the Governor.

“(b) Notwithstanding any other provision of law, including, but not limited to, Section 13A-10-61, a candidate, public official, or principal campaign committee may only accept, solicit, or receive contributions:

“(1) To influence the outcome of an election.

“(2) For a period of 12 months before an election in which the person intends to be a candidate. Provided, however, candidates for state office and their principal campaign committees may not accept, solicit, or receive contributions during the period when the Legislature is convened in session. For purposes of this section, the Legislature is convened in session at any time from the opening day of the special or regular session and continued through the day of adjournment sine die for that session. However, this subsection shall not apply within 120 days of any primary, runoff, or general election, and shall not apply to the candidates or their principal campaign committees participating in any special election as called by the Governor.

“(3) For a period of 120 days after the election in which the person was a candidate, but only to the extent of any campaign debt of the candidate or principal campaign committee of the candidate as indicated on the campaign financial disclosure form or to the extent of reaching the threshold that is required for qualification as a candidate for the office which he or she currently holds, or both. Notwithstanding the foregoing, the provision of this section dealing with the campaign debt of the candidate or the principal campaign committee of the candidate shall not apply to any prior candidate or current elected official who has filed a verified statement of the debt with the Secretary of State on or before October 1, 1995. The debt must have been created on or before January 1, 1995, and shall be directly related to lawful campaign expenditures.

“(4) For the purpose of paying all expenses associated with an election challenge including, but not limited to, quo warranto challenges.

“(c) Notwithstanding any other provision of law, including, but not limited to, Section 13A-10-61, a candidate, public official, or principal campaign committee shall not accept, solicit, or receive contributions for any of the following reasons:

“(1) As a bribe, as defined by Sections 13A-10-60 to 13A-10-63, inclusive.

“(2) For the intention of corruptly influencing the official actions of the public official or candidate for public office.”

“§17-22A-22.

“(a) A person who violates any provision of this chapter other than Section 17-22A-7 or a reporting requirement under Sections 17-22A-4, 17-22A-5, and 17-22A-8 is guilty of a Class A misdemeanor and subject to a fine of not more than two thousand dollars (\$2,000.00), or imprisonment of not more than one year, or both such fine and imprisonment.

“(b) A person who violates any reporting requirement of Sections 17-22A-4, 17-22A-5, and 17-22A-8 is guilty of a Class B misdemeanor, and subject to a fine of one thousand dollars (\$1,000.00) or an amount not to exceed double the amount or value of the contributions or expenditures not reported, whichever is greater, or imprisonment of not more than six months, or both such fine and imprisonment; provided, however, that, Notwithstanding the foregoing, this subsection shall not apply to contributions received or to expenditures made before the effective date of this chapter.

“(c) Any person who intentionally violates Section 17-22A-7 shall, upon conviction, be guilty of a Class B felony.

“(e) (d) The Attorney General may prosecute for violations of this chapter. Venue for cases involving violations of this chapter shall be in the county in which the alleged violator resides. No prosecution for violation of this chapter shall be commenced later than two years after the date of violation. Notwithstanding the foregoing, a prosecution brought pursuant to Section 17-22A-7 shall be commenced within four years after the commission of the offense. Additionally, a prosecution brought pursuant to this section shall be prosecuted by the Attorney General or the district attorney for the appropriate jurisdiction, and the venue for any action pursuant to this section shall be in the county in which the alleged violation occurred, or in those cases where the violation or violations occurred outside the State of Alabama, in Montgomery County.

“§36-25-1.

“Whenever used in this chapter, the following words and terms shall have the following meanings:

“(1) BUSINESS. Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, or any other legal entity.

“(2) BUSINESS WITH WHICH THE PERSON IS ASSOCIATED. Any business of which the person or a member of his or her family is an officer, owner, partner, board of director member, employee, or holder of more than five percent of the fair market value of the business.

“(3) CANDIDATE. An individual who has done any of the following: This term as used in this chapter shall have the same meaning ascribed to it in Section 17-22A-2.

~~“a. Taken the action necessary under the laws of the state to qualify himself or herself for nomination or for election to any state office or local office, or in the case of an independent seeking ballot access, on the date when he or she files a petition with the judge of probate in the case of county offices, with the appropriate qualifying municipal official in the case of municipal offices, or the Secretary of State in all other cases.~~

~~“b. Received contributions or made expenditures, or given his or her consent for any other person or persons to receive contributions or make expenditures, with a view to bringing about his or her nomination or election to any state office or local office.~~

“Notwithstanding the foregoing, no person shall be considered a candidate within the meaning of this subdivision until the time he or she has either received contributions or expenditures as provided herein in the following amounts:

~~“1. Twenty five thousand dollars (\$25,000) or more, with a view toward bringing about nomination or election to any state office other than one filled by election of the registered voters of any circuit or district within the state.~~

~~“2. Five thousand dollars (\$5,000) or more, with a view toward bringing about nomination or election to any state office, excluding legislative office, filled by election of the registered voters of any circuit or district.~~

~~“3. Ten thousand dollars (\$10,000) or more, with a view toward~~



~~bringing about nomination or election to the Alabama Senate and five thousand dollars (\$5,000) or more, with a view toward bringing about nomination or election to the Alabama House of Representatives.~~

~~“4. One thousand dollars (\$1,000) or more, with a view toward bringing about nomination or election to any local office.~~

“(4) COMMISSION. The State Ethics Commission.

“(5) COMPLAINT. Written allegation or allegations that a violation of this chapter has occurred.

“(6) COMPLAINANT. A person who alleges a violation or violations of this chapter by filing a complaint against a respondent.

“(7) CONFIDENTIAL INFORMATION. A complaint filed pursuant to this chapter, together with any statement, conversations, knowledge of evidence, or information received from the complainant, witness, or other person related to such complaint.

“(8) CONFLICT OF INTEREST. A conflict on the part of a public official or public employee between his or her private interests and the official responsibilities inherent in an office of public trust. A conflict of interest involves any action, inaction, or decision by a public official or public employee in the discharge of his or her official duties which would materially affect his or her financial interest or those of his or her family members or any business with which the person is associated in a manner different from the manner it affects the other members of the class to which he or she belongs. A conflict of interest shall not include any of the following:

“a. A loan or financial transaction made or conducted in the ordinary course of business.

“b. An occasional nonpecuniary award publicly presented by an organization for performance of public service.

“c. Payment of or reimbursement for actual and necessary expenditures for travel and subsistence for the personal attendance of a public official or public employee at a convention or other meeting at which he or she is scheduled to meaningfully participate in connection with his or her official duties and for which attendance no reimbursement is made by the state.

“d. Any campaign contribution, including the purchase of tickets

to, or advertisements in journals, for political or testimonial dinners, if the contribution is actually used for political purposes and is not given under circumstances from which it could reasonably be inferred that the purpose of the contribution is to substantially influence a public official in the performance of his or her official duties.

“(9) DAY. Calendar day.

“(10) DEPENDENT. Any person, regardless of his or her legal residence or domicile, who receives 50 percent or more of his or her support from the public official or public employee or his or her spouse or who resided with the public official or public employee for more than 180 days during the reporting period.

“(11) FAMILY MEMBER OF THE PUBLIC EMPLOYEE. The spouse or a dependent of the public employee.

“(12) FAMILY MEMBER OF THE PUBLIC OFFICIAL. The spouse, a dependent, an adult child and his or her spouse, a parent, a spouse’s parents, a sibling and his or her spouse, of the public official.

“(13) GOVERNMENTAL CORPORATIONS AND AUTHORITIES. Public or private corporations and authorities, including but not limited to, hospitals or other health care corporations, established pursuant to state law by state, county or municipal governments for the purpose of carrying out a specific governmental function. Notwithstanding the foregoing, all employees, including contract employees, of hospitals or other health care corporations and authorities are exempt from the provisions of this chapter.

“(14) HOUSEHOLD. The public official, public employee, and his or her spouse and dependents.

“(15) LAW ENFORCEMENT OFFICER. A full-time employee of a governmental unit responsible for the prevention or investigation of crime who is authorized by law to carry firearms, execute search warrants, and make arrests.

“(16) LEGISLATIVE BODY. The Senate of Alabama, the House of Representatives of Alabama, a county commission, city council, city commission, town council, or municipal council or commission, and any committee or subcommittee thereof.

“(17) LOBBYING. The practice of promoting, opposing, or in any manner influencing or attempting to influence the introduction, defeat,

or enactment of legislation before any legislative body; opposing or in any manner influencing the executive approval, veto, or amendment of legislation; or the practice of promoting, opposing, or in any manner influencing or attempting to influence the enactment, promulgation, modification, or deletion of regulations before any regulatory body; provided, however, that providing public testimony before a legislative body or regulatory body or any committee thereof shall not be deemed lobbying.

“(18) LOBBYIST.

“a. The term lobbyist includes any of the following:

“1. A person who receives compensation or reimbursement from another person, group, or entity to lobby.

“2. A person who lobbies as a regular and usual part of employment, whether or not any compensation in addition to regular salary and benefits is received.

“3. A person who expends in excess of one hundred dollars (\$100) for a thing of value, not including funds expended for travel, subsistence expenses, and literature, buttons, stickers, publications, or other acts of free speech, during a calendar year to lobby.

“4. A consultant to the state, county, or municipal levels of government or their instrumentalities, in any manner employed to influence legislation or regulation, regardless whether the consultant is paid in whole or part from state, county, municipal, or private funds.

“5. An employee, a paid consultant, or a member of the staff of a lobbyist, whether or not he or she is paid, who regularly communicates with members of a legislative body regarding pending legislation and other matters while the legislative body is in session.

“b. The term lobbyist does not include any of the following:

“1. A member of a legislative body on a matter which involves that person's official duties.

“2. A person or attorney rendering professional services in drafting bills or in advising clients and in rendering opinions as to the construction and effect of proposed or pending legislation, executive action, or rules or regulations, where those professional services are not otherwise connected with legislative, executive, or regulatory action.

"3. Reporters and editors while pursuing normal reportorial and editorial duties.

"4. Any citizen not expending funds as set out above in paragraph a.3. or not lobbying for compensation who contacts a member of a legislative body, or gives public testimony on a particular issue or on particular legislation, or for the purpose of influencing legislation and who is merely exercising his or her constitutional right to communicate with members of a legislative body.

"5. A person who appears before a legislative body, a regulatory body, or an executive agency to either sell or purchase goods or services.

"6. A person whose primary duties or responsibilities do not include lobbying, but who may, from time to time, organize social events for members of a legislative body to meet and confer with members of professional organizations and who may have only irregular contacts with members of a legislative body when the body is not in session or when the body is in recess.

"(19) MINOR VIOLATION. Any violation of this chapter in which the public official or public employee receives an economic gain in an amount less than two hundred fifty dollars (\$250) or the governmental entity has an economic loss of less than two hundred fifty dollars (\$250).

"(20) PERSON. A business, individual, corporation, partnership, union, association, firm, committee, club, or other organization or group of persons.

~~"(21) PERSONAL AND LEGISLATIVE LIVING EXPENSES. Household supplies; personal clothing; tuition payments; mortgage, rent, or utility payments for a personal residence; admission to an entertainment event or fees for a country club or social club, unless tied to a specific campaign event or functions involving constituents; and any other expense (excluding food and beverages) that would exist irrespective of the candidate's campaign or duties as a legislator. Personal and legislative living expenses shall not include: food and beverages, travel or communication expenses incurred by the legislator in the performance of the office held.~~

"(22) (21) PRINCIPAL. A person or business which employs, hires, or otherwise retains a lobbyist. Nothing in this chapter shall be deemed to prohibit a principal from simultaneously serving as his or her own lobbyist.

"(23) (22) PROBABLE CAUSE. A finding that the allegations are more likely than not to have occurred.

~~“(24) (23) PUBLIC EMPLOYEE.~~ Any person employed at the state, county, or municipal level of government or their instrumentalities, including governmental corporations and authorities, but excluding employees of hospitals or other health care corporations including contract employees of those hospitals or other health care corporations, who is paid in whole or in part from state, county or municipal funds. For purposes of this chapter, a public employee does not include a person employed on a part-time basis whose employment is limited to providing professional services other than lobbying, the compensation for which constitutes less than 50 percent of the part-time employee’s income.

~~“(25) (24) PUBLIC OFFICIAL.~~ Any person elected to public office, whether or not that person has taken office, by the vote of the people at state, county, or municipal level of government or their instrumentalities, including governmental corporations, and any person appointed to a position at the state, county, or municipal level of government or their instrumentalities, including governmental corporations. For purposes of this chapter, a public official includes the chairs and vice-chairs or the equivalent offices of each state political party as defined in Section 17-16-2.

~~“(26) (25) REGULATORY BODY.~~ A state agency which issues regulations in accordance with the Alabama Administrative Procedure Act or a state, county, or municipal department, agency, board, or commission which controls, according to rule or regulation, the activities, business licensure, or functions of any group, person, or persons.

~~“(27) (26) REPORTING PERIOD.~~ The reporting official’s or employee’s fiscal tax year as it applies to his or her United States personal income tax return.

~~“(28) (27) REPORTING YEAR.~~ The reporting official’s or employee’s fiscal tax year as it applies to his or her United States personal income tax return.

~~“(29) (28) RESPONDENT.~~ A person alleged to have violated a provision of this chapter and against whom a complaint has been filed with the commission.

~~“(30) (29) STATEMENT OF ECONOMIC INTERESTS.~~ A financial disclosure form made available by the commission which shall be completed and filed with the commission prior to April 30 of each year covering the preceding calendar year by certain public officials and public employees.

~~“(31) (30) SUPERVISOR.~~ Any person having authority to hire,

transfer, suspend, lay off, recall, promote, discharge, assign, or discipline other public employees, or any person responsible to direct them, or to adjust their grievances, or to recommend personnel action, if, in connection with the foregoing, the exercise of the authority is not of a merely routine or clerical nature but requires the use of independent judgment.

~~“(32) (31) THING OF VALUE.~~

“a. Any gift, benefit, favor, service, gratuity, tickets or passes to an entertainment, social or sporting event offered only to public officials, unsecured loan, other than those loans made in the ordinary course of business, reward, promise of future employment, or honoraria.

“b. The term, thing of value, does not include any of the following, provided that no particular course of action is required as a condition to the receipt thereof:

“1. Campaign contribution ~~as defined in Section 17-22A-2.~~

“2. Seasonal gifts of an insignificant economic value of less than one hundred dollars (\$100) if the aggregate value of such gifts from any single donor is less than two hundred fifty dollars (\$250) during any one calendar year.

“3. Hospitality extended to a public official, public employee, and his or her respective household as a social occasion in the form of food and beverages where the provider is present, lodging in the continental United States and Alaska incidental to the social occasion, and tickets to social or sporting events if the hospitality does not extend beyond three consecutive days and is not continuous in nature and the aggregate value of such hospitality in excess of two hundred fifty dollars (\$250) within a calendar day is reported to the commission by the provider provided that the reporting requirement contained in this section shall not apply where the expenditures are made to or on behalf of an organization to which a federal income tax deduction is permitted under subparagraph (A) of paragraph (1) of subsection (b) of Section 170 of the Internal Revenue Code of 1986, as amended, or any charitable, education or eleemosynary cause of Section 501 of Title 26 of the U.S. Code, and where the public official or public employee does not receive any direct financial benefit. The reporting shall include the name or names of the recipient or recipients, the value of the entire expenditure, the date or dates of the expenditure, and the type of expenditure.

“4. Reasonable transportation, food and beverages where the provider is present, and lodging expenses in the continental United States and Alaska which are provided in conjunction with an educational or informa-

tional purpose, together with any hospitality associated therewith; provided, that such hospitality is less than 50 percent of the time spent at such event, and provided further that if the aggregate value of such transportation, lodging, food, beverages, and any hospitality provided to such public employee, public official, and his or her respective household is in excess of two hundred fifty dollars (\$250) within a calendar day the total amount expended shall be reported to the commission by the provider. The reporting shall include the name or names of the recipient or recipients, the value of the entire expenditure, the date or dates of the expenditure, and the type of expenditure.

"5. Payment of or reimbursement for actual and necessary expenditures for travel and subsistence of a public official or public employee in connection with an economic development research or trade mission, or for attendance at a mission or meeting in which he or she is scheduled to meaningfully participate, or regarding matters related to his or her official duties, and for which attendance no reimbursement is made by the state; provided, that any hospitality in the form of entertainment, recreation, or sporting events shall constitute less than 25% of the time spent in connection with the event. If the aggregate value of any such hospitality extended to the public employee, public official, and his or her respective household is in excess of two hundred fifty dollars (\$250) within a calendar day, the total amount expended for that day shall be reported to the commission by the provider. The reporting shall include the name or names of the recipient or recipients, the value of such expenditures, the date or dates of the expenditure, and the type of expenditure.

"§ 6. Promotional items commonly distributed to the general public and food or beverages of a nominal value.

"c. Nothing in this chapter shall be deemed to limit, prohibit, or otherwise require the disclosure of a personal gift made to a public official or public employee from a spouse, intended spouse, dependent, adult child, sibling, parent, grandparent, uncle, aunt, nephews, nieces or cousins of the public official or public employee, except as otherwise provided by law.

"d. Nothing in this chapter shall be deemed to limit, prohibit, or otherwise require the disclosure of gifts through inheritance received by a public employee or public official.

"~~(33)~~ (32) VALUE. The fair market price of a like item if purchased by a private citizen.

"§36-25-6.

~~"(a) Notwithstanding any other provision of law, including but not~~

limited to Sections 17-22A-1 to 17-22A-23, inclusive, and 13A-10-61, a candidate, public official, or principal campaign committee, as defined in Section 17-22A-2, may only accept, solicit, or receive contributions, as defined in Section 17-22A-2, to influence the outcome of an election; in addition, a candidate, public official, or principal campaign committee may not accept, solicit, or receive contributions more than 12 months before an election in which the person intends to be a candidate. The candidate may also solicit contributions for a period of 120 days after the election in which the person was a candidate, but only to the extent of any campaign debt of the candidate or the principal campaign committee of the candidate as indicated on campaign financial disclosure form or to the extent of reaching the threshold that is required for qualification as a candidate for the office which he or she currently holds. The provision of this section dealing with the campaign debt of the candidates or the principal campaign committee of the candidate shall not apply to any prior candidate or current elected official who files a verified statement of such debt with the Secretary of State on or before October 1, 1995. Said debt must have been created on or before January 1, 1995 and shall be directly related to lawful campaign expenditures. Provided, however, any candidate or elected official whose election is challenged including quo warranto challenges may then accept, solicit and receive campaign contributions for the purpose of paying all expenses associated with the election challenge.

“(b) Notwithstanding any other provision of law, including, but not limited to Sections 17-22A-1 to 17-22A-23, inclusive, and 13A-10-61, a candidate, public official, or principal campaign committee shall not accept, solicit, or receive contributions for any of the following reasons:

“(1) As a bribe, as defined by Sections 13A-10-60 to 13A-10-63, inclusive.

“(2) For the intention of corruptly influencing the official actions of the public official or candidate for public office.

“(c) Notwithstanding any other provision of law, including, but not limited to Section 17-22A-7, a candidate, public official, or principal campaign committee may only use contributions, as defined by Section 17-22A-2, received for the following purposes:

“(1) Expenditures of the campaign.

“(2) Expenditures that are reasonably related to performing the duties of the office held. For purposes of this section, expenditures that are reasonably related to performing the duties of the office held do not include personal and legislative living expenses.



~~“(3) Donations to the State General Fund, Alabama Special Educational Trust Fund or equivalent county or municipal funds.~~

~~“(4) Donations to an organization to which a federal income tax deduction is permitted under subparagraph (A) of paragraph (1) of subsection (b) of Section 170 of the Internal Revenue Code of 1986, as amended, or any other charitable, educational, or eleemosynary cause of Section 501 of Title 26 of the U.S. Code.~~

~~“(5) Inaugural or transitional expenses incurred after October 1, 1995.~~

~~“(d) Contributions to an office holder, a candidate, or to a public official’s inaugural or transitional fund shall not be converted to personal use.~~

“§36-25-14.

“(a) A statement of economic interests shall be completed and filed in accordance with this chapter with the commission no later than April 30 of each year covering the period of the preceding calendar year by each of the following:

“(1) All elected public officials at the state, county, or municipal level of government or their instrumentalities.

“(2) Any person appointed as a public official and any person employed as a public employee at the state, county, or municipal level of government or their instrumentalities who occupies a position whose base pay is fifty thousand dollars (\$50,000) or more annually.

“(3) All candidates, simultaneously with the date he or she becomes a candidate as defined ~~herein~~ in Section 17-22A-2, or the date the candidate files his or her qualifying papers, whichever comes first.

“(4) Members of the Alabama Ethics Commission; appointed members of boards and commissions having statewide jurisdiction (but excluding members of solely advisory boards).

“(5) All full-time nonmerit employees, other than those employed in maintenance, clerical, secretarial, or other similar positions.

“(6) Chief clerks and chief managers.

“(7) Chief county clerks and chief county managers.

“(8) Chief administrators.

“(9) Chief county administrators.

“(10) Any public official or public employee whose primary duty is to invest public funds.

“(11) Chief administrative officers of any political subdivision.

“(12) Chief and assistant county building inspectors.

“(13) Any county or municipal administrator with power to grant or deny land development permits.

“(14) Chief municipal clerks.

“(15) Chiefs of police.

“(16) Fire chiefs.

“(17) City and county school superintendents and school board members.

“(18) City and county school principals or administrators.

“(19) Purchasing or procurement agents having the authority to make any purchase.

“(20) Directors and assistant directors of state agencies.

“(21) Chief financial and accounting directors.

“(22) Chief grant coordinators.

“(23) Each employee of the Legislature or of agencies, including temporary committees and commissions established by the Legislature, other than those employed in maintenance, clerical, secretarial, or similar positions.

“(24) Each employee of the judicial branch of government, including active supernumerary district attorneys and judges, other than those employed in maintenance, clerical, secretarial, or other similar positions.

“(b) Unless otherwise required by law, no public employee occupying a position earning less than fifty thousand dollars (\$50,000) per year

shall be required to file a statement of economic interests. Notwithstanding the provisions of subsection (a) or any other provision of this chapter, no coach of an athletic team of any four-year institution of higher education which receives state funds shall be required to include any income, donations, gifts, or benefits, other than salary, on the statement of economic interests, if the income, donations, gifts, or benefits are a condition of the employment contract. Such statement shall be made on a form made available by the commission. The duty to file the statement of economic interests shall rest with the person covered by this chapter. Nothing in this chapter shall be construed to exclude any public employee or public official from this chapter regardless of whether they are required to file a statement of economic interests. The statement shall contain the following information on the person making the filing:

“(1) Name, residential address, business; name, address, and business of living spouse and dependents; name of living adult children; name of parents and siblings; name of living parents of spouse. Undercover law enforcement officers may have their residential addresses and the names of family members removed from public scrutiny by filing an affidavit stating that publicizing this information would potentially endanger their families.

“(2) A list of occupations to which one third or more of working time was given during previous reporting year by the public official, public employee, or his or her spouse.

“(3) A listing of total combined household income of the public official or public employee during the most recent reporting year as to income from salaries, fees, dividends, profits, commissions, and other compensation and listing the names of each business and the income derived from such business in the following categorical amounts: less than one thousand dollars (\$1,000); at least one thousand dollars (\$1,000) and less than ten thousand dollars (\$10,000); at least ten thousand dollars (\$10,000) and less than fifty thousand dollars (\$50,000); at least fifty thousand dollars (\$50,000) and less than one hundred fifty thousand dollars (\$150,000); at least one hundred fifty thousand dollars (\$150,000) and less than two hundred fifty thousand dollars (\$250,000); or at least two hundred fifty thousand dollars (\$250,000) or more. The person reporting shall also name any business or subsidiary thereof in which he or she or his or her spouse or dependents, jointly or severally, own five percent or more of the stock or in which he or she or his or her spouse or dependents serves as an officer, director, trustee, or consultant where the service provides income of at least one thousand dollars (\$1,000) and less than five thousand dollars (\$5,000); or at least five thousand dollars (\$5,000) or more for the reporting period.

“(4) If the filing public official or public employee, or his or her

spouse, has engaged in a business during the last reporting year which provides legal, accounting, medical or health related, real estate, banking, insurance, educational, farming, engineering, architectural management, or other professional services or consultations, then the filing party shall report the number of clients of such business in each of the following categories and the income in categorical amounts received during the reporting period from the combined number of clients in each category: electric utilities, gas utilities, telephone utilities, water utilities, cable television companies, intrastate transportation companies, pipeline companies, oil or gas exploration companies, or both, oil and gas retail companies, banks, savings and loan associations, loan or finance companies, or both, manufacturing firms, mining companies, life insurance companies, casualty insurance companies, other insurance companies, retail companies, beer, wine or liquor companies or distributors, or combination thereof, trade associations, professional associations, governmental associations, associations of public employees or public officials, counties, and any other businesses or associations that the commission may deem appropriate. Amounts received from combined clients in each category shall be reported in the following categorical amounts: less than one thousand dollars (\$1,000); more than one thousand dollars (\$1,000) and less than ten thousand dollars (\$10,000); at least ten thousand dollars (\$10,000) and less than twenty-five thousand dollars (\$25,000); at least twenty-five thousand dollars (\$25,000) and less than fifty thousand dollars (\$50,000); at least fifty thousand dollars (\$50,000) and less than one hundred thousand dollars (\$100,000); at least one hundred thousand dollars (\$100,000) and less than one hundred fifty thousand dollars (\$150,000); at least one hundred fifty thousand dollars (\$150,000) and less than two hundred fifty thousand dollars (\$250,000); or at least two hundred fifty thousand dollars (\$250,000) or more.

“(5) If retainers are in existence or contracted for in any of the above categories of clients, a listing of the categories along with the anticipated income to be expected annually from each category of clients shall be shown in the following categorical amounts: less than one thousand dollars (\$1,000); at least one thousand dollars (\$1,000) and less than five thousand dollars (\$5,000); or at least five thousand dollars (\$5,000) or more.

“(6) If real estate is held for investment or revenue production by a public official, his or her spouse or dependents, then a listing thereof in the following fair market value categorical amounts: under fifty thousand dollars (\$50,000); at least fifty thousand dollars (\$50,000) and less than one hundred thousand dollars (\$100,000); at least one hundred thousand dollars (\$100,000) and less than one hundred fifty thousand dollars (\$150,000); at least one hundred fifty thousand dollars (\$150,000) and less than two hundred fifty thousand dollars (\$250,000); at least two hundred fifty thousand dollars (\$250,000) or more. A listing of annual gross rent and lease

income on real estate shall be made in the following categorical amounts: less than ten thousand dollars (\$10,000); at least ten thousand dollars (\$10,000) and less than fifty thousand dollars (\$50,000); fifty thousand dollars (\$50,000) or more. If a public official or a business in which the person is associated received rent or lease income from any governmental agency in Alabama, specific details of the lease or rent agreement shall be filed with the commission.

“(7) A listing of indebtedness to businesses operating in Alabama showing types and number of each as follows: Banks, savings and loan associations, insurance companies, mortgage firms, stockbrokers and brokerages or bond firms; and the indebtedness to combined organizations in the following categorical amounts: Less than twenty-five thousand dollars (\$25,000); twenty-five thousand dollars (\$25,000) and less than fifty thousand dollars (\$50,000); fifty thousand dollars (\$50,000) and less than one hundred thousand dollars (\$100,000); one hundred thousand dollars (\$100,000) and less than one hundred fifty thousand dollars (\$150,000); one hundred fifty thousand dollars (\$150,000) and less than two hundred fifty thousand dollars (\$250,000); two hundred fifty thousand dollars (\$250,000) or more. The commission may add additional business to this listing. Indebtedness associated with the homestead of the person filing is exempted from this disclosure requirement.

“(c) Filing required by this section shall reflect information and facts in existence at the end of the reporting year.

“(d) If the information required herein is not filed as required, the commission shall notify the public official or public employee concerned as to his or her failure to so file and the public official or public employee shall have 10 days to file the report after receipt of the notification. The commission may, in its discretion, assess a fine of ten dollars (\$10) a day, not to exceed one thousand dollars (\$1,000), for failure to file timely.

“(e) A person who intentionally violates any financial disclosure filing requirement of this chapter shall be subject to administrative fines imposed by the commission, or shall, upon conviction, be guilty of a Class A misdemeanor, or both.

“Any person who unintentionally neglects to include any information relating to the financial disclosure filing requirements of this chapter shall have 90 days to file an amended statement of economic interests without penalty.

“(a) Candidates at every level of government shall file a completed statement of economic interests for the previous calendar year with the appropriate election official simultaneously with the date he or she becomes a candidate as defined ~~herein~~ in Section 17-22A-2 or the date such candidate files his or her qualifying papers with the appropriate election official, whichever date occurs first. Such election official shall within five days forward the statement of economic interests of the candidate to the commission. Nothing in this section shall be deemed to require a second filing of the person’s statement of economic interests if a current statement of economic interests is on file with the commission.

“(b) Each election official who receives a declaration of candidacy or petition to appear on the ballot for election from a candidate and each official who nominates a person to serve as a public official shall, within five days of the receipt or nomination, notify the commission of the name of the candidate, as defined in this chapter, and the date on which the person became a candidate or was nominated as a public official.

“(c) Other provisions of the law notwithstanding, if a candidate does not submit a statement of economic interests in accordance with the requirements of this chapter, the name of the person shall not appear on the ballot and the candidate shall be deemed not qualified as a candidate in that election. Notwithstanding the foregoing, the commission may, for good cause shown, allow the candidate an additional five days to file such statement of economic interests. If a candidate is deemed not qualified, the appropriate election official shall remove the name of the candidate from the ballot.”

Section 2. This act shall become effective on October 1, 1997, after its passage and approval by the Governor or its otherwise becoming a law.

And said Bill, HB 312, as thus amended by the Report of the Committee on Conference, was again read and passed.

And said Bill, HB 312, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

GREG PAPPAS,  
Clerk.

### HOUSE AND CONFERENCE MESSAGE

On motion of Senator Lindsey, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the dis-

agreement of the two Houses on the Senate amendment to the Bill, HB 312, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -34

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Lindsey, B.I.R., HB 863, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Biddle, Clay, Davidson, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hale, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, and Waggoner -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 863.** Relating to Conecuh County, providing for the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund known as The Sheriff's Fund, providing for the use of such fund and repealing Act 87-482, H. 997, 1987 Regular Session.

was read a third time and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Butler, Clay, Denton, Dial, Dixon, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers,

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Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Poole, B.I.R., HB 874, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Ghee, Hale, Hill, Langford, Lindsey, Little, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Steele, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 874.** Relating to Pickens County; proposing an amendment to the Constitution of Alabama of 1901; authorizing the Pickens County Commission to levy a three mill ad valorem tax for fire protection.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, HB 874, to-wit:

**AMENDMENT TO HB 874**

On page 2, line 17, after the word "departments" insert the following language:

“, collectively, and the Pickens County Volunteer Firefighters’ Association”

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Lindsey, Lipscomb, Mitchell, Mitchem, Myers, Poole, Smith, Steele, and Waggoner -25

Nays: - 0



And said Bill, HB 874, as thus amended, was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Clay, Davidson, Denton, Escott-Russell, Ghee, Hill, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 874, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### BUDGET ISOLATION RESOLUTION

Senator Lindsey, B.I.R., HB 898, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Barron, Bedford, Biddle, Butler, Clay, Dial, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 898.** Relating to Clarke County; to further provide for the operation of the county commission; to provide further for the compensation of the commission; to provide for a centralized road system for the operation of the county roads and bridges; to provide for the employment of a county engineer; to provide for the continual supervision of the roads and bridges by the commission; to repeal conflicting laws; and to provide for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

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Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Biddle, Butler, Davidson, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smitherman, and Steele -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 901, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchem, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 901.** Relating to Shelby County; to amend Section 11 of Act 596, 1975 Regular Session (Acts 1975, p. 1346), as amended and reenacted by Act 92-394, 1992 Regular Session (Acts 1992, p. 810); to remove certain law enforcement powers granted to employees of the Shelby County Work Release Center; to authorize the commission to transport eligible persons to job sites within the county; and to exempt the commission from liability for damage or injury caused to the eligible person.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Poole, Sanders, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 903, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Hale, Hill, Langford, Lipscomb, McClain, Myers, Poole, Roberts, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 903.** Relating to Shelby County; to amend Act 93-529, H. 728 of the 1993 Regular Session (Acts 1993, p. 869), to provide for additional costs and charges in all circuit and district court cases and to further provide for distribution of the funds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Biddle, Clay, Davidson, Dial, Escott-Russell, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 907, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Bedford, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchem, Myers, Poole, Sanders, Smith, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 907.** Relating to Shelby County; providing for additional line item expenses for the district attorney's office.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Butler, Clay, Davidson, Dial, Dixon, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Smith, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 908, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Bedford, Biddle, Butler, Davidson, Dial, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 908.** Relating to Shelby County; to provide that the Shelby County Commission shall have authority to remove or demolish buildings and structures, or parts thereof, when the same are found by the county commission to be unsafe to the extent of being a public nuisance; to provide for a hearing by the county commission if requested; to authorize that the cost of the demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that the assessment shall constitute a lien on the property; to provide meth-

ods of collecting assessments; and to authorize the tax collector to collect assessments.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dixon, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, and Waggoner -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Armistead, B.I.R., HB 909, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Langford, Lindsey, Lipscomb, Little, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 909.** Relating to Shelby County; to give the authority to the county commission to allow Central Alabama Public Transportation and any agencies which receive state or county funding to receive and display county vehicle license tags.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Lipscomb, Little, McClain,

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Mitchell, Mitchem, Poole, Roberts, Sanders, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 910, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial, Ghee, Hale, Hill, Langford, Lipscomb, Little, McClain, Mitchem, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 910.** Relating to Shelby County; to amend Section 2 of Act 96-41, H. 6, 1996 First Special Session (Acts 1996, p. 54), to provide further for the disbursement of certain additional court costs for the purpose of funding the county law library.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Ghee, Hale, Hill, Lindsey, McClain, Mitchell, Mitchem, Myers, Poole, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 914, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, David-

son, Dixon, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays: - 0

### **BILLS ON THIRD READING RESUMED**

#### **THE BILL:**

**HB 914.** Relating to Escambia County; authorizing the sheriff to operate a jail store or commissary for inmates; and providing for the deposit, distribution, and auditing of monies earned.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Ghee, Hale, Lindsey, Lipscomb, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays: - 0

### **BUDGET ISOLATION RESOLUTION**

Senator Steele, B.I.R., HB 934, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Dial, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays: - 0

### **BILLS ON THIRD READING RESUMED**

#### **THE BILL:**

**HB 934.** Relating to Sumter County; providing for an additional expense allowance and salary for the tax collector.

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was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Clay, Davidson, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Myers, Poole, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Steele, B.I.R., HB 935, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Biddle, Clay, Davidson, Escott-Russell, Freeman, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 935.** Relating to Greene County; providing for the compensation of the members of the Greene County Board of Education.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0



**BUDGET ISOLATION RESOLUTION**

Senator Steele B.I.R., HB 936, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lipscomb, Little, Mitchell, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 936.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Boligee in Greene County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Clay, Davidson, Dial, Dixon, Freeman, Ghee, Langford, Lindsey, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-25

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 186.** To make an appropriation of \$500,000 from the State General Fund to the Metropolitan Arts Council for America's Smithsonian 150th Anniversary Exhibition in Birmingham for the fiscal year ending September 30, 1997, and to require the filing of additional information and an operations plan prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 96.** To make an appropriation of \$62,761 from the State General Fund to the Tri-Rivers Waterway Development Authority for the fiscal year ending September 30, 1998, and requires an operations plan and an audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 947.** Relating to Talladega County, to require the installation and maintenance of an improved system of recording, archiving, and retrieving documents affecting the title to property and other documents recorded in the office of the judge of probate; to provide for the collection and disposition of a special recording fee; and to provide that the system shall constitute official and permanent records in Talladega County.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 942.** Relating to Etowah County; to amend Sections 1, 2, 3, and 4 of Act 96-506, H. 992, 1996 Regular Session (Acts 1996, p. 643), to further provide for the court costs to be imposed on persons incarcerated in the Etowah County jail.

GREG PAPPAS,  
Clerk.

**BUDGET ISOLATION RESOLUTION**

Senator Smith, B.I.R., HB 941, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, and Steele -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 941.** To alter and rearrange the boundary lines and corporate limits of the City of Gadsden and the City of Glencoe in Etowah County to remove certain property from the corporate limits of the City of Gadsden and add the property to the City of Glencoe.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Roberts, Sanders, Smith, Smitherman, Steele, and Windom-25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Bedford, B.I.R., HB 948, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Freeman, Hill, Langford, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 948.** Relating to Lamar County; amending Section 2 of Act 80-519, H. 1052 of the 1980 Regular Session (Acts 1980, p. 799), further providing for the disposal of property under the control of the Lamar County Commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Freeman, Hale, Hill, Lindsey, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B.I.R., HB 960, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Poole, Sanders, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 960.** Relating to Randolph County, authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; and providing for the disposition of proceeds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Lindsey, Little, McClain, Mitchem, Myers, Poole, Roberts, Waggoner, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Dial, B.I.R., HB 965, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Ghee, Hill, Langford, Lipscomb, Little, McClain, Mitchem, Myers, Roberts, Sanders, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 965.** Relating to Cherokee County; providing further for the compensation and mileage of returning officers.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Dial, Escott-Russell, Freeman, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, and Smitherman -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator McClain, B.I.R., HB 829, adopted.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Amari, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, McClain, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 829.** Providing for a board of education for the City of Bessemer; providing that the members of the board shall be elected from defined districts; providing for the selection of a chair; providing for the terms of office, qualifications, and compensation of the members; prescribing procedures for electing the members and for filling vacancies on the board; and providing certain transitional provisions.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Hale, Lindsey, Little, McClain, Poole, Roberts, Smith, Smitherman, Waggoner, and Windom-25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B.I.R., HB 31, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Bedford, Biddle, Clay, Davidson, Denton, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 31.** Relating to Houston County; to impose a fee of \$35 as a processing fee to compile and print a list for the general public of all holders of a privilege or business license issued by the judge of probate for an entire fiscal year or a fiscal year to date; and a fee of \$20 for compiling and printing lists and updates of a single month new privilege or business licenses issued by the judge of probate; to provide for the disposition of the fees; and to provide that the law shall be cumulative.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Lindsey, Lipscomb, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Ghee, B.I.R., HB 166, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, McClain, Mitchem, Myers, Roberts, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 166.** Relating to Calhoun County; proposing an amendment to the Constitution of Alabama of 1901, to create a committee composed of two persons appointed by the Democratic Party, two persons appointed by

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the Republic Party, and the judge of probate to design and approve primary election ballots.

was taken up.

Senator Ghee offered the following amendment to the Bill, HB 166, to-wit:

**AMENDMENT TO HB 166**

On page 2, line 4, delete the word “Republic” and insert in lieu thereof:

“Republican”

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial, Escott-Russell, Ghee, Hale, Hill, Langford, Lipscomb, Little, McClain, Mitchem, Myers, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

And said Bill, HB 166, as thus amended, was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Biddle, Butler, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Poole, Smith, and Steele -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Ghee, B.I.R., HB 686, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Davidson, Denton, Dial,



Dixon, Escott-Russell, Ghee, Hale, Hill, Lindsey, Little, McClain, Mitchell, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays: - 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 686.** To alter and rearrange the boundary lines and corporate limits of the municipality of Blue Mountain in Calhoun County to remove certain property from the corporate limits of the municipality, all property owned only by Blue Mountain Industries.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Bedford, Biddle, Clay, Davidson, Denton, Dial, Dixon, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

### BUDGET ISOLATION RESOLUTION

Senator Ghee, B.I.R., HB 779, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Dixon, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Poole, Roberts, Steele, Waggoner, and Windom -25

Nays: - 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 779.** Relating to Calhoun County; providing reimbursement to the county, the county commission, or to any municipality in the county

for the expenditures for advertising a proposed local law raising revenues for a local entity whether public or private.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Biddle, Clay, Denton, Dial, Dixon, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Ghee, B.I.R., HB 812, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Sanders, Smitherman, and Steele -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 812.** Relating to Calhoun County; amending Sections 3, 4, and 6 of Act No. 95-375, H. 612 of the 1995 Regular Session (Acts 1995, p. 763), authorizing any city in the county and the county commission to abate public nuisances; reducing the number of public meetings; and authorizing independent contractors to abate public nuisances.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb,

Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 902, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial, Dixon, Freeman, Ghee, Hill, Lindsey, Little, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Waggoner, and Windom-25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 902.** Relating to Shelby County; providing for the payment of a county salary supplement to each Circuit Judge and the District Attorney of the Eighteenth Judicial Circuit and to each Shelby County District Judge; providing for certain additional increases in the supplement; providing for the termination of the supplement under certain conditions; and repealing conflicting law.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Freeman, Hale, Hill, Langford, Lindsey, McClain, Mitchem, Myers, Roberts, Smith, Smitherman, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 954, adopted.

Yeas 25 Nays 0

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Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dixon, Escott-Russell, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 954.** Relating to Chilton County; to amend Section 1 of Act 89-478, H. 811, 1989 Regular Session (Acts 1989, p. 1001); providing for a special recording fee for each document filed for record in the office of the judge of probate and to provide for the distribution of such fees.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Biddle, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Poole, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Hill, B.I.R., HB 974, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Hill, Langford, Lindsey, Little, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 974.** Relating to the City of Sylacauga in Talladega County;

authorizing the utilities board of the City of Sylacauga to establish, purchase, construct, maintain, lease and operate a television cable system and to furnish television cable and auxiliary service to the residents of the city and to customers of the board and in the surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by the board in connection with the systems; providing for the payment of the bonds and other evidences of indebtedness and the rights of holders thereof; and exempting the utilities board transacting business pursuant to this act from the jurisdiction and control of the Alabama Public Service Commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Dixon, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Smith, Steele, and Waggoner -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Bedford, B.I.R., HB 976, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Langford, Lipscomb, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 976.** Relating to Franklin County, to require the installation and maintenance of an improved system of recording, archiving, and retrieving documents affecting the title to property and other documents recorded in the office of the judge of probate; to provide the collection and

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disposition of a special recording fee; and to provide that said system shall constitute official and permanent records in Franklin County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Davidson, B.I.R., HB 989, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Hale, Hill, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Roberts, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 989.** Relating to the City of Sumiton in Walker County and the 14th Judicial Circuit; to levy certain additional costs and charges of court, to provide that the costs and charges shall be placed in a special Hazardous Duty Pay Fund, to provide hazardous duty pay for all sworn City of Sumiton police officers and all City of Sumiton jailers; to provide for the City Council of Sumiton to increase the amount of hazardous duty payments; and to provide for implementation of this act.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bedford, Biddle, Clay, Davidson, Denton, Dixon,

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Escott-Russell, Freeman, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Hill, B.I.R., HB 891, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Langford, Lipscomb, Mitchell, Mitchem, Myers, Poole, Smith, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 891.** Relating to Elmore County, to repeal Act 10, H.61, of the 1911 Regular Session, as amended, relating to requiring the commissioner's court to publish the minutes of its meetings.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dixon, Hale, Hill, Langford, Lindsey, Lipscomb, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Clay, B.I.R., HB 897, adopted.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Myers, Poole, Roberts, Sanders, and Steele -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 897.** Relating to Barbour County; to authorize the board of health to designate the environmental services for which a reasonable fee may be charged and to set the appropriate fee for each service.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Biddle, Clay, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Steele, and Windom-25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 899, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Denton, Dial, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 899.** Relating to Clarke County; authorizing the county commission to levy an additional sales and use tax and providing for the



collection, distribution, and use of the proceeds of the tax.

was taken up.

On motion of Senator Sanders, the Rules were suspended and further consideration of the Bill, HB 899, was postponed subject to the call of the Chair.

### **BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 906, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Lindsey, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Waggoner, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 906.** Relating to Shelby County, to amend Act 95-369, H. 826, 1995 Regular Session, to provide for the unlimited extension of an expense allowance for the tax assessor and tax collector.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Lindsey, Lipscomb, Little, McClain, Mitchem, Poole, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Adams, B.I.R., HB 949, adopted.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Dial, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 949.** Relating to Geneva County; to provide for the election of the Geneva County Board of Education from five single-member districts; to define the boundaries of the districts; to include within those districts all of Geneva County except that area located within the corporate limits of the City of Geneva; to authorize the board to change the boundaries of the election districts; to establish procedures for making changes; and to repeal Act 393, H. 681, 1931 Regular Session (1931 Acts, p. 175).

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, HB 949, to-wit:

**AMENDMENT TO HB 949**

On page 3, after line 22, insert a new Section 10 and renumber all subsequent sections accordingly:

“Section 10. Nothing in this act shall be construed to restrict or limit the freedom of a student to enroll in the school district of his or her choice.”

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Steele, and Waggoner -25

Nays:

- 0

And said Bill, HB 949, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Sanders, Smith, Steele, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Armistead, B.I.R., HB 953, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 953.** Relating to Chilton County; further providing for compensation of the board of registrars; amending Section 1 of Act 85-529, H. 768 of the 1985 Regular Session (Acts 1985, p. 638); and specifically repealing Acts 1707 and 1712 of the 1971 Regular Session, (Acts 1971, pp. 2874 and 2878), and Act 712 of the 1965 Regular Session (Acts 1965, p. 1317) and conflicting laws; and providing for a retroactive effective date of October 1, 1996.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lip-

scomb, Little, McClain, Myers, Poole, Smitherman, Waggoner, and Win-  
dom -25

Nays: - 0

### **FURTHER CONSIDERATION OF HB 899**

The Senate proceeded to further consideration of the Bill, HB 899.

Senator Sanders offered the following amendment to the Bill, HB 899, to-wit:

### **AMENDMENT TO HB 899**

On page 5, line 20, before the words "Seventy-five", and on line 24, before the words "twenty-five" insert the following language at each location:

"Subject to the provisions of subdivision (3) below,"

On page 6, after line 2, insert the following:

"(3) After the jail, provided for in paragraph (1) above, is completed and any debt incurred for the construction is satisfied, the net proceeds of the tax levied shall be distributed as follows:

(a) Fifty percent of the proceeds shall be deposited to the county general fund.

(b) Fifty percent of the proceeds shall be distributed on a per capita student basis of student enrollment based on the most recent first 40-day enrollment report for each school system in the county."

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dixon, Ghee, Hale, Langford, Lindsey, Lipscomb, McClain, Mitchell, Myers, Poole, Sanders, Smith, Smitherman, Steele, Waggoner, and Win-  
dom -25

Nays: - 0

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And said Bill, HB 899, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B.I.R., HB 966, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Barron, Biddle, Clay, Davidson, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 966.** Relating to Cherokee County; providing further for the fee that the judge of probate may charge for celebrating the rites of marriage.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Barron, Bedford, Biddle, Butler, Clay, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, and Smitherman -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 972, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Butler, Davidson, Denton, Dixon, Freeman, Ghee, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 972.** Relating to Shelby County; authorizing the City Council of the City of Helena to levy an additional ad valorem tax and providing for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchell, B.I.R., HB 977, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Butler, Davidson, Denton, Dial, Dixon, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 977.** Relating to Butler County; fixing the fee for an issuance of a pistol permit by the sheriff and providing for the disposition and use of the proceeds; and repealing Act 88-321, H. 732 of the 1988 Regular Session (Acts 1988, p. 486).

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Bedford, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B.I.R., HB 980, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Butler, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Langford, Lindsey, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 980.** Relating to Wilcox County; providing for an additional expense allowance and salary for the members of the Wilcox County Board of Education.

was read a third time at length and passed.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Langford, Lindsey, Lipscomb, Little, Mitchell, Myers, Poole, Roberts, Sanders, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B.I.R., HB 999, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Poole, Smitherman, Steele, and Waggoner -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 999.** Relating to Marshall County; to provide that the county commission may pay life insurance premiums for its retired employees.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Dial, Dixon, Escott-Russell, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Smith, Steele, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 1001, adopted.

Yeas 25 Nays 0



Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Freeman, Hale, Hill, Langford, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1001.** Relating to Bibb County; to create a motor vehicle license and title division within the office of the judge of probate for the issuance of motor vehicle licenses and titles; to provide for the selection of personnel for the license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to the system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; to provide for the issuance of motor vehicle licenses and titles; and to transfer certain duties now performed by the tax assessor/collector to the judge of probate.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 1017, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon,

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Escott-Russell, Freeman, Ghee, Hale, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1017.** To alter or rearrange the boundary lines of the City of Monroeville, Monroe County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Monroeville, Monroe County, Alabama.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Sanders, Smitherman, Steele, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Adams, B.I.R., HB 479, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Bedford, Biddle, Butler, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, and Steele-25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 479.** Proposing an amendment to the Constitution of Ala-

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bama of 1901, to provide that certain elected public officials in Coffee County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, and Smith -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Dial, B.I.R., HB 628, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Denton, Dial, Dixon, Freeman, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Poole, Roberts, Sanders, Smith, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 628.** Relating to Chambers County; to provide the collection and disposition of a special recording fee in the office of the judge of probate.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lipscomb, Little, Mitchem, Poole, Roberts, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Ghee, B.I.R., HB 685, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, McClain, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 685.** To alter and rearrange the boundary lines and corporate limits of the municipality of Anniston in Calhoun County to remove certain property from the corporate limits of the municipality.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, HB 685, to-wit:

**AMENDMENT TO HB 685**

Amend HB 685 on Page 1, Line 24, by deleting the word "north-east" and inserting in lieu thereof the word:

"northwest"

Which was adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Poole, Roberts, Sanders, Smith, and Waggoner -25

Nays:

- 0

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And said Bill, HB 685, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B.I.R., HB 832, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Biddle, Butler, Clay, Denton, Dial, Dixon, Escott-Russell, Ghee, Hill, Langford, Lipscomb, Little, McClain, Mitchell, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 832.** To provide for law enforcement powers for community corrections officers employed in the Houston County Work Release and Pretrial Release Program.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Hale, Hill, Langford, Little, McClain, Mitchell, Mitchem, Myers, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill, HB 37.

Senator Bailey, B.I.R., HB 37, adopted.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-34

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 37.** To authorize the city council of any Class 5 municipality with a city manager or a mayor commission form of government to adopt an alternate structure for the membership on the board of adjustment created pursuant to Section 11-52-80 of the Code of Alabama 1975; to authorize the city councils to provide by ordinance for the appointment of the board; and to provide for the number of concurring votes on the board.

was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-34

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Bailey, B.I.R., HB 870, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Hale, Lindsey, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smith, Smitherman, and Waggoner -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 870.** Relating to the City of Dothan in Houston County; to amend Section 2 of Act 543, H. 1252 of the 1977 Regular Session (Acts 1977, p. 711), providing for membership in the City of Dothan Pension and Retirement System, to provide for optional membership in the system for the city manager and the city attorneys; and to amend and reenact Section 4 of Act 91-487, H. 622 of the 1991 Regular Session (Acts 1991, p. 878), to provide further for the authorized investments of the pension board.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Clay, B.I.R., HB 875, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Bedford, Biddle, Butler, Clay, Denton, Dial, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Myers, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 875.** Relating to Macon County; to provide for the levy of a severance fee on clay, sand, or gravel, mined within the county; to provide for permit fees; and to provide for the disposition of the proceeds from the fees.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Poole, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 904, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Escott-Russell, Hale, Hill, Langford, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 904.** Relating to Shelby County; providing for the compensation of the Judge of Probate of Shelby County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Butler, Clay, Davidson, Denton, Dial, Escott-



Russell, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

### BUDGET ISOLATION RESOLUTION

Senator Clay, B.I.R., HB 913, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Biddle, Butler, Clay, Denton, Dial, Dixon, Freeman, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 913.** Relating to Bullock County, increasing the pistol permit fee that the sheriff is required to charge, providing for the distribution of these funds, and repealing Act No. 85-897, H. 149, 1985 Second Special Session.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, Mitchell, Mitchem, Myers, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

### BUDGET ISOLATION RESOLUTION

Senator Barron, B.I.R., HB 916, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Dial, Dixon, Freeman, Hale, Hill, Langford, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 916.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Pine Ridge in DeKalb County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Barron, Bedford, Biddle, Butler, Denton, Dial, Dixon, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Steele, B.I.R., HB 922, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial, Dixon, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Myers, Poole, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 922.** Relating to the City of Tuscaloosa; providing for a referendum election on the question of the election of the members of the city

board of education by the qualified electors of the city; upon approval at the referendum election, providing for the election and operation of the board of education for the City of Tuscaloosa; providing that the members of the board shall be elected from defined districts; providing for the selection of a chair and the operation of the board; providing for the terms of office, qualifications, and compensation of the members; prescribing procedures for electing the members and for filling vacancies on the board; providing certain transitional provisions; and providing for a conditional effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Hill, Langford, Lindsey, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 922, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### **BUDGET ISOLATION RESOLUTION**

Senator Adams, B.I.R., HB 924, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Hale, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 924.** Relating to Dale County; providing that the offices of judge of probate or revenue commissioner shall be reimbursed for monetary loss resulting from the performance of official duties for errors or

mistakes made in good faith, not to exceed a certain maximum per annum; and providing the funds shall be payable from the general fund of the county.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Denton, Dial, Ghee, Hale, Hill, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, and Waggoner -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Adams, B.I.R., HB 950, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Roberts, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 950.** Relating to Geneva County; prescribing the salary of the sheriff.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Denton, Dial, Dixon, Freeman, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Rep. Holmes:

**HJR 540. EXPRESSING REGRETS TO THE VICTIMS OF THE TUSKEGEE SYPHILIS STUDY.**

WHEREAS, this legislative body notes the apology extended by the President of the United States to the survivors and the families of those involved in the Tuskegee Syphilis Study; and

WHEREAS, we believe it is appropriate at this time for the Legislature of Alabama, on behalf of this state, to also extend its regrets to these persons; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama joins with the President of the United States in extending to the survivors and the families of those involved in the Tuskegee Syphilis Study our sincere and humble regrets.

GREG PAPPAS,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Clay, the Rules were suspended and the Resolution, HJR 540, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**BUDGET ISOLATION RESOLUTION**

Senator Adams, B.I.R., HB 951, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Langford, Lipscomb, Little, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Smitherman, and Windom

-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 951.** Relating to Geneva County; providing a referendum on the question of making the duties of the chair of the county commission into a full-time position and separate from the office of judge of probate; to provide for compensation and an effective date.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Davidson, Denton, Dial, Escott-Russell, Freeman, Ghee, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B.I.R., HB 971, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Ghee, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, and Waggoner -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 971.** Relating to Marshall County; to provide that the county commissioners may, under certain conditions, authorize county personnel to perform work in private or public cemeteries, including opening graves for interment of human bodies, repairing and maintaining existing roads, building roads, and other related labor in private or public cemeteries, including any cemetery authority owned, governed, controlled, or operated

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by any church or religious society or denomination, religious corporation, church, or corporation sole and also on school bus turn-arounds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Biddle, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, and Windom-25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Adams, B.I.R., HB 973, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Denton, Dial, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Roberts, Sanders, Smith, Steele, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 973.** Relating to Dale County; to provide for a procedure for optional renewal by mail of motor vehicle licenses and tags, boat licenses, and manufactured home licenses; and to authorize a fee for mail order services.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Butler, Clay, Davidson, Denton, Dixon, Freeman, Ghee, Hale, Langford, Lindsey, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

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**BUDGET ISOLATION RESOLUTION**

Senator Little, B.I.R., HB 978, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, and Steele -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 978.** To authorize an additional county salary supplement for the district judges of Lee County, and to provide that the provisions of this act shall be effective October 1, 1997.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Poole, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Steele requested and received permission to suspend the Rules in order to bring up the Bill, HB 703.

Senator Steele, B.I.R., HB 703, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,



Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

**HB 703.** Relating to any Class 4 municipality; to authorize the Legislature by local law to provide for the election and operation of the board of education in the municipality.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 703, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### BUDGET ISOLATION RESOLUTION

Senator Butler, B.I.R., HB 985, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Barron, Bedford, Butler, Clay, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 985.** Relating to Madison County; amending Act 90-286, H. 719 of the 1990 Regular Session (Acts 1990, p. 379), prescribing the salary of the sheriff; to provide further therefor.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Denton, Dixon, Escott-Russell, Freeman, Hale, Langford, Lipscomb, Little, McClain, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Ghee, B.I.R., HB 990, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Butler, Denton, Dial, Dixon, Freeman, Ghee, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 990.** Relating to Calhoun County; authorizing the sheriff to operate a jail store and telephone system for prisoners in county custody; providing for the deposit, distribution, and auditing of monies earned; and confirming and ratifying certain prior actions.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Langford, Lindsey, Little, McClain, Mitchell, Poole, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Ghee, B.I.R., HB 991, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Poole, Roberts, Sanders, Smith, Waggoner, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 991.** Relating to Calhoun County; to provide for an adult day care program to assist in the daily care and other activities of the elderly; to provide for definitions; to provide for licensure of adult care centers; to provide for inspections; to provide for fees; and to make an appropriation.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, HB 991, to-wit:

### **SUBSTITUTE FOR HB 991**

#### **A BILL TO BE ENTITLED AN ACT**

Relating to Calhoun County; to establish an Adult Day Center to provide for services to improve one's quality of daily living, mental health,

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and ability to cope with problems encountered by the older adult; to provide for definitions; to provide for certification of adult day centers; and to make an appropriation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply to Calhoun County only.

Section 2. The purpose of this act is to provide for the development and employment of mental health services targeted to the elderly population to assure that therapeutic mental health related activities and services are provided in a safe and protected environment and to insure that the services and activities meet the standards and requirements promulgated for adult day treatment programs.

Section 3. As used in this act, the following words shall have the following meanings.

(1) ADULT DAY CENTER. Any building, buildings, or part of a building, in which adult day treatment is provided. The facility or facilities shall meet the applicable local fire and safety codes, as well as receive certification from the Bureau of Technical Services of the Department of Mental Health and Mental Retardation.

(2) ADULT DAY TREATMENT. Psychiatric rehabilitation services provided to 10 or more adults recipients with a primary psychiatric diagnosis, age 65 or older, for a minimum of four hours per day or 20 hours per week, by a provider who meets the certification standards as promulgated by the Alabama State Department of Mental Health and Mental Retardation. The services provided shall include a complete physical examination and assessment to provide an individualized plan of treatment for each of the enrollees.

(3) BASIC SERVICES. Psychiatric rehabilitation services to include, but not be limited to, individual therapy, group therapy, family therapy, chemotherapy, case management, family education, and basic living skills building which are tailored to the needs of each individual.

(4) COUNTY. Calhoun County.

(5) MENTAL HEALTH BOARD. Calhoun-Cleburne Mental Health Board, Inc.

(6) OPERATOR. Administrator of the adult day center.

(7) OWNER. The owner of the adult day center.

(8) PARTICIPANT. A recipient of basic services to include supportive or optional services provided by the adult day center.

(9) SUPPORTIVE AND OPTIONAL SERVICES. Speech, occupational and physical therapy, transportation services, consumer education, and referral services as determined by the individual physical or mental assessment, or both, at admission.

Section 4. (a) Adult day treatment providers shall be certified by the Alabama Department of Mental Health and Mental Retardation, and receive medicaid or medicare certification to provide services to eligible medicaid or medicare recipients.

(b) The following entities shall be exempt from this act:

(1) Any facility, institution, or other place that is operated by the federal government or any agency thereof.

(2) Any freestanding inpatient hospice facility that is licensed by the state and which provides adult day treatment to hospice patients only.

(3) A licensed assisted living facility, a licensed hospital, or a licensed nursing home facility providing services during the day which include, but are not limited to, social, health, therapeutic, recreational, nutritional, and respite services for adults who are not residents. A facility need not be licensed as an adult day center. If an assisted living facility, a hospital, or a nursing home holds itself out to the public as an adult day center as defined in this act, it shall be licensed and certified, and meet all standards prescribed by statute and rules.

Section 5. There is hereby appropriated for the fiscal year beginning October 1, 1997, for the implementation of an adult day center including, but not limited to, the leasing or purchasing of a facility and the hiring of employees, the sum of three hundred thousand dollars (\$300,000) from the State General Fund to the Calhoun-Cleburne Mental Health Board, Inc. The appropriation provided for in this section shall be in addition to any and all other funds heretofore or hereafter appropriated to the center or fees generated by other third party.

Section 6. This act shall become effective on the first day of the second month following its passage and approval by the Governor, or its otherwise becoming law.

Which was adopted.

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Escott-Russell, Ghee, Hale, Langford, Lindsey, Little, Mitchell, Mitchem, Myers, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

And said Bill, HB 991, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Ghee, Hale, Hill, Lindsey, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B.I.R., HB 993, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Butler, Clay, Dial, Dixon, Escott-Russell, Freeman, Ghee, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 993.** Relating to Blount County; to amend Sections 5, 7, 13, and 17 of Act 93-712, H. 969, 1993 Regular Session, relating to the formation of fire and emergency medical services districts, to further pro-

vide for the annual payment of dues; to further provide for the annexation of an unincorporated area with 50 or more residences, businesses, and churches into a district; to further provide for a municipality contracting for fire and emergency medical services; to provide for the contracting for services by entities outside Blount County; and to further provide for the funding of municipalities' fire and emergency medical services.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Clay, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Freeman, B.I.R., HB 1002, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Little, Mitchem, Poole, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 1002.** To amend Section 1 of Act 940, H. 1956, 1973 Regular Session (Acts 1973, p. 1445), as amended, relating to Madison County and the Twenty-third Judicial Circuit; establishing the "District Attorney's Fund" and to further regulate the distribution of the fund; and specifically repealing Section 2 of Act 940, H. 1956, 1973 Regular Session (Acts 1973, p. 1445) relating to the fund.

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was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Davidson, Denton, Freeman, Ghee, Hale, Hill, Lindsey, Little, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 1019, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Barron, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1019.** To alter, rearrange, and extend the boundary lines and corporate limits of the City of Chelsea in Shelby County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Ghee, Hale, Langford, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Steele, Waggoner, and Windom -25

Nays: - 0



**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 1020, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchem, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1020.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Pelham in Shelby County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Clay, Davidson, Denton, Dial, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Myers, Roberts, Sanders, Smith, Smitherman, Waggoner, and Windom  
-25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchem, B.I.R., HB 1029, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Biddle, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lipscomb, McClain, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1029.** Relating to Blount County; to provide that the county commissioners may authorize the use of county personnel and county equipment to perform certain services when compensated for the services.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Butler, Clay, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Adams, B.I.R., HB 1030, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Lindsey, Little, McClain, Mitchell, Mitchem, Poole, Smith, Smitherman, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1030.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Geneva in Geneva County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Clay, Davidson, Dixon,

Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smitherman, Steele, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Denton, B.I.R., HB 1049, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Roberts, Smith, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1049.** Relating to Lauderdale County; amending Act 86-411, 1986 Regular Session, as amended, relating to the county lodging tax, to increase the amount of the tax.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Escott-Russell, Freeman, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Smitherman, and Waggoner -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Steele, B.I.R., HB 1050, adopted.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Armistead, Bedford, Butler, Clay, Davidson, Denton, Dial, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1050.** Relating to Hale County; authorizing the sheriff to operate a jail store and contract telephone installation for inmates; providing for the deposit of monies earned; and providing for the distribution and auditing of monies earned.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Hale, Hill, Langford, Lindsey, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Steele, and Waggoner -25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 1050, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**BUDGET ISOLATION RESOLUTION**

Senator Poole, B.I.R., HB 1055, adopted.

Yeas 25 Nays 0

Senators:

Bailey, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1055.** Relating to Pickens County; authorizing the sheriff to operate a jail store and contract telephone installation for inmates; providing for the deposit of monies earned; and providing for the distribution and auditing of monies earned.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 1055, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**BUDGET ISOLATION RESOLUTION**

Senator Poole, B.I.R., HB 1056, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Butler, Davidson, Dial, Dixon, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1056.** Relating to Pickens County; providing for costs to be imposed on each person incarcerated in the Pickens County jail; and pro-

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viding for distribution of the revenues to be derived from the additional court costs.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Davidson, Dial, Dixon, Escott-Russell, Figures, Hale, Hill, Langford, McClain, Mitchell, Mitchem, Poole, Roberts, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 1056, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**BUDGET ISOLATION RESOLUTION**

Senator Hill, B.I.R., HB 1061, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bedford, Biddle, Butler, Clay, Denton, Dial, Dixon, Freeman, Ghee, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Poole, Roberts, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1061.** Relating to Coosa County; providing further for the compensation of the sheriff.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Smitherman, and Steele -25

Nays:

- 0

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 287, without the Governor's signature and approval, but with the following Executive Amendment.

Done this 19th day of May, 1997.

Respectfully submitted,

WILLIAM P. GRAY,  
Legal Advisor to the Governor.

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 287, without my signature, but with the following suggested Executive Amendment:

**EXECUTIVE AMENDMENT TO SENATE BILL NUMBER 287:**

Please amend Senate Bill No. 287 on page 4, line 16, after the sentence ending with the year "1998.", by adding the sentence "Prior to the release of any monies to the Individual and Family Support Programs, such expenditures shall first be approved by the Commissioner of the Department of Mental Health and Mental Retardation."

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done this 19th day of May, 1997.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

### GOVERNOR'S MESSAGE

On motion of Senator Mitchell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

**SB 287.** To amend Section 32-6-233.1 of the Code of Alabama 1975, relating to unauthorized use of handicapped parking places; to provide further for the penalties; to further specify the prohibition on unauthorized persons parking in parking zones designated for handicapped persons at certain private businesses; to provide for the posting of the amount of the fine for a violation on signs designating handicapped parking places; and to provide for the enforcement of this act.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

which was a majority of the whole number elected to the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Hill, B.I.R., HB 1062, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Es-



cott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Myers, Poole, Smith, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

**HB 1062.** Relating to Coosa County; amending Act 81-297, H. 649, 1981 Regular Session, relating to pistol permit fees, to increase the pistol permit fee the sheriff is required to charge, and providing for the distribution of the fees.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Bedford, Biddle, Clay, Denton, Dixon, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Hill, B.I.R., HB 1063, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Figures, Freeman, Ghee, Hill, Lindsey, Little, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

**HB 1063.** Relating to Coosa County; authorizing the sheriff to operate a jail store and a telephone system for prisoners in county custody;

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providing for the deposit, distribution, and auditing of monies earned; and confirming and ratifying certain prior actions.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedford, Butler, Davidson, Dial, Dixon, Escott-Russell, Figures, Freeman, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Hill, B.I.R., HB 1064, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Figures, Freeman, Ghee, Hale, Hill, Little, McClain, Mitchell, Mitchem, Poole, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1064.** Relating to Coosa County; authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; providing for an auction and for the disposition of proceeds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Hale, Hill, Langford, Lindsey, Little,

McClain, Mitchell, Poole, Roberts, Sanders, Smith, Smitherman, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders, B.I.R., HB 1070, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Biddle, Butler, Clay, Denton, Dial, Dixon, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1070.** Relating to Perry County; to authorize the Perry County Commission to establish a Junior Perry County Commission; and to authorize certain scholarships for the members of the Junior Perry County Commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bedford, Biddle, Butler, Clay, Davidson, Dixon, Escott-Russell, Figures, Hale, Hill, Langford, Lindsey, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Little, B.I.R., HB 1077, adopted.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Barron, Bedford, Biddle, Butler, Clay, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1077.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Auburn in Lee County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Barron, Bedford, Clay, Davidson, Denton, Dial, Dixon, Freeman, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Little, B.I.R., HB 1078, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Biddle, Butler, Clay, Davidson, Dial, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1078.** To exempt the Lee County Cattlemen's Association Rodeo from collecting and remitting county, and municipal sales taxes lev-

ied upon admission to the Lee County Cattlemen's Association Rodeo.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Dial, Escott-Russell, Figures, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Sanders, and Smith -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Steele, B.I.R., HB 1079, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lindsey, McClain, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 1079.** Relating to Tuscaloosa County, Alabama: to amend and reenact Act 86-656, 1986 First Special Session (Acts 1986, p. 39), as amended, establishing a fire district, pursuant to Amendment No. 358 to the Constitution of Alabama of 1901, for the purpose of preventing fires or for fire protection and certain other public service in Tuscaloosa County; providing for the manner such district may be created for any area; providing for the petition for any proposed district and the election thereon; providing that the expense of the conducting such election shall be paid by the county except that if the district is created the district shall reimburse the county; providing that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; providing that no district shall be created unless the creation thereof has been approved by the majority of votes cast at an election; providing that if the creation of the proposed dis-

tract is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; providing for the enlargement and contraction of the district; providing for the management and operation of each district; providing for the election of a fire district board, except the initial board made up of the existing board of the directors of each volunteer fire department, each being a public corporation; providing for the terms of office of the members of the board; providing for the officers compensation, expense allowance and duties of the members of the board; defining the rights, power, and authority of the district; authorizing any such district to pledge all or any parts of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; authorizing any such district to levy and collect service charges or fees subject to certain limitations; providing that such services charges or fees shall not be levied unless the same is first approved by a majority of the votes cast by the qualified electors residing within the district; providing for the dissolution of any such district; providing that the provisions of this act are severable; repealing all laws, or parts of laws, in the conflict with the act; and providing for the effective date of the act.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Myers, Poole, Sanders, Smith, Steele, and Waggoner -25

Nays:

- 0

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 1079, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 50.** Relating to limited partnerships and foreign limited partnerships, to amend Sections 10-9A-2 and 10-9A-163 of the Code of Alabama 1975, so as to permit the abbreviation "L.P." in the name of these partnerships.

Also:

**HB 270.** To amend Section 13A-11-8 of the Code of Alabama 1975, as last amended by Act 96-767 of the 1996 Regular Session, so as to clearly specify that the actions constituting the crimes of harassment and harassing communications are mutually independent.

Also:

**HB 405.** Authorizing the Department of Revenue to accept electronically filed tax returns of all types and to adopt rules and qualifications for tax returns and other documents filed electronically; establishes definitions, return and signature requirements specific to electronic filing; addresses the qualification of electronic return "Originators," "Transmitters," and associated computer software by "Software Developers;" and amends Section 40-1-1, Code of Alabama 1975, to establish, revise, and reorder certain definitions.

Also:

**HB 625.** To authorize registered nurses employed by the State Health Department or county health departments to dispense legend drugs under the supervision of a physician and a pharmacist pursuant to procedures established by the State Board of Pharmacy; and for this purpose to amend Section 34-23-11 of the Code of Alabama 1975.

Also:

**HB 680.** Authorizing the State Board of Health to develop a program relating to indoor lead hazard reduction, authorizing the establishment of certain fee schedules and the disposition of fees levied, authorizing the State Health Officer to conduct certain investigations relating to lead hazard reduction and granting immunity from certain liability, requiring the certification of persons engaged in lead hazard removal activities and the regulation of such activity, designating Safe State as the state accreditation agency and specifying the powers and duties of Safe State, specifying criminal penalties for failure to be properly certified or to comply with certain lead hazard removal procedures, permitting state or local health officers to seek injunctive relief, creating and providing for a special fund and making an appropriation from the fund for fiscal years ending September 30, 1997, and September 30, 1998, and providing for a prospective effective date.

Also:

**HB 375.** To provide for the Uniform Multiple-Person Accounts

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Act; to define terms; to specify accounts applicable; to specify forms; to provide for the designation of an agent; to specify application; to provide for ownership between parties and others; to specify rights at death and the alteration of rights; to provide that accounts and transfers are nontestamentary; to express rights of creditors and others; to specify authority of financial institutions, the payment on multiple-party accounts, the payment on a POD designation, the payment to a designated agent and a minor, and for discharge and setoff; and to provide for a short title, construction, application of principles of law, transitional provisions and a delayed effective date.

Also:

**HB 74.** To amend Sections 32-6-18 and 32-6-19 of the Code of Alabama 1975, relating to punishment for traffic violations; to impose an additional penalty of \$50 on any person found guilty of driving a motor vehicle with a revoked, suspended, or cancelled driver's license or without a driver's license; to provide that the additional penalty be allocated to the Traffic Safety Trust Fund in the State Treasury; and to provide that the Traffic Safety Section of the Alabama Department of Economic and Community Affairs administer the proceeds.

Also:

**HB 202.** To amend Section 32-6-1 of the Code of Alabama 1975, to extend the renewal time period for a driver's license without further examination from one year to three years.

Also:

**HB 569.** To amend Section 5-3A-1 of the Code of Alabama 1975, relating to the duties of the Superintendent of the State Banking Department concerning banks organized under the laws of this state, to further provide for the time period for examinations of the banks.

Also:

**HB 738.** To amend Section 36-26-35, Code of Alabama 1975, relating to the accrual of annual leave by state employees, to provide further for the leave accrued by law enforcement officers in the Department of Public Safety.

Also:

**HB 1111.** To amend Section 27-7-5, Code of Alabama 1975, re-



lating to the qualifications of an applicant for a license to sell property or casualty insurance, to provide further for an applicant who has a prior felony conviction when the applicant has been fully pardoned.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 98.** To make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for debt service, and for capital outlay for the fiscal year ending September 30, 1998.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills,

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your signature thereto is requested.

**HB 96.** To make an appropriation of \$62,761 from the State General Fund to the Tri-Rivers Waterway Development Authority and to make an appropriation of \$65,000 from the State General Fund to the Tennessee River Valley Association for the fiscal year ending September 30, 1998, and requires an operations plan and an audited financial statement prior to release of any funds.

Also:

**HB 186.** To make an appropriation of \$500,000 from the State General Fund to the Metropolitan Arts Council for America's Smithsonian 150th Anniversary Exhibition in Birmingham for the fiscal year ending September 30, 1997, and to require the filing of additional information and an operations plan prior to release of any funds.

Also:

**HB 942.** Relating to Etowah County; to amend Sections 1, 2, 3, and 4 of Act 96-506, H. 992, 1996 Regular Session (Acts 1996, p. 643), to further provide for the court costs to be imposed on persons incarcerated in the Etowah County jail.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 76.** To amend Section 32-5A-191 of the Code of Alabama 1975, as last amended by Act No. 96-705, S. 182, 1996 Regular Session,

relating to driving under the influence of alcohol and drugs and fines on convictions therefor, to further provide for the \$100 fine for distribution to the Impaired Drivers Trust Fund, after administrative costs; to further provide for the collection and distribution process of certain funds to the Impaired Drivers Trust Fund presently specified in Section 32-5A-191.1 and to repeal Section 32-5A-191.1, Code of Alabama 1975, relating to the fines designated for the Impaired Drivers Trust Fund; and to provide for a delayed effective date.

Also:

**HB 194.** To make an appropriation to the Department of Public Health from the State General Fund in the amount of \$11,506,144 for the fiscal year ending September 30, 1998, for educational purposes.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### BUDGET ISOLATION RESOLUTION

Senator Biddle, B.I.R., HB 911, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 911.** Relating to Jefferson County; authorizing the City Coun-

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cil of the City of Pleasant Grove to levy an additional ad valorem tax and providing for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bedford, Biddle, Clay, Davidson, Escott-Russell, Freeman, Ghee, Hale, Hill, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 260, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Bedford, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 260.** Amending Section 13 of Act No. 243, H. 278 of the 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for policemen and firemen of the City of Mobile, in Mobile County, to further provide for disabling disabilities; to exclude certain disabling disabilities; and to amend Section 2 of Act No. 95-571, H. 958 of the 1995 Regular Session (Acts 1995, p. 1194), relating to certain conditions existing at the time of employment in determining disability eligibility under the plan.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bedford, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Hill, Lipscomb, Little, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Figures, B.I.R., HB 638, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Dial, Escott-Russell, Figures, Freeman, Ghee, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 638.** Relating to Mobile County; providing for the county commission to reimburse the office of the accounts department for monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, and providing that reimbursement payments be made from the county general fund.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Biddle, Clay, Davidson, Dial, Dixon, Figures, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-25

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

**SB 472.** Relating to DeKalb County; to amend Act No. 315, S. 448, 1923 Regular Session, as amended; to provide that the DeKalb County Superintendent of Education be elected by those qualified voters of the county residing outside of a municipality served by a city board of education.

Also:

**SB 539.** Relating to Dale County; providing for the establishment of a unit system for road maintenance, repair, and construction; providing for the employment, qualifications, and compensation of a county engineer; and defining the authority, powers, and duties of the county engineer and county commission.

Also:

**SB 603.** Relating to Macon County; to amend Section 15 of Act 83-575, 1983 Regular Session, as amended, relating to the Macon County Racing Commission; to further provide for the distribution of the net proceeds of fees, commissions, taxes, and other monies received by the Macon County Racing Commission from the operation of the racetrack.

Also:

**SB 619.** Relating to the City of Dothan in Houston County; to amend Section 2 of Act 543, H. 1252 of the 1977 Regular Session (Acts 1977, p. 711), providing for membership in the City of Dothan Pension and Retirement System, to provide for optional membership in the system for the city manager and the city attorneys; and to amend and reenact Section 4 of Act 91-487, H. 622 of the 1991 Regular Session (Acts 1991, p. 878), to provide further for the authorized investments of the pension board.

Also:

**SB 637.** Relating to Clay County; to repeal Act 79-199, H. 638, of the 1979 Regular Session, relating to the maintenance of private roads in the county.

Also:

**SB 641.** Relating to Calhoun County; providing for the distribution of the proceeds of the state excise tax on beer levied pursuant to Chapter 3 of Title 28 of the Code of Alabama 1975; and ratifying and validating distributions of the tax proceeds prior to October 1, 1995.

Also:

**SB 665.** Relating to Fayette County; authorizing the Fayette County Commission to levy an additional one-cent sales and use tax for the purpose of financing the acquisition, construction, development, and financing of the Tom Bevill Reservoir Management Area, as well as to provide fire protection services in the county; providing for the collection, distribution, and use of the proceeds of the tax; prescribing penalties and fixing punishment for violation of this act; providing for a referendum; and providing for a termination date for the additional tax.

Also:

**SB 667.** Relating to the City of Oxford in Calhoun County; to amend Sections 3 and 12, Act 963, S. 1177, 1975 Regular Session, to include department heads under the city civil service act; and to provide further for the probationary period of employment in the civil service system.

GREG PAPPAS,  
Clerk.

### **BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 1044, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Butler, Clay, Denton, Dixon, Escott-Russell, Figures, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1044.** To alter and rearrange the boundary lines and corporate limits of the municipality of Citronelle in Mobile County to remove

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certain property from the corporate limits of the municipality.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Figures, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom-25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Hill, B.I.R, HB 470, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Barron, Bedford, Biddle, Butler, Clay, Denton, Dixon, Escott-Russell, Ghee, Hale, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 470.** Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected public officials in Talladega County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Barron, Bedford, Biddle, Butler, Dixon, Escott-Russell, Freeman, Hale, Hill, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0



**BUDGET ISOLATION RESOLUTION**

Senator Armistead, B.I.R., HB 905, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Figures, Ghee, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 905.** Relating to Shelby County; providing for an expense allowance for each member of the county commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Biddle, Butler, Clay, Davidson, Denton, Escott-Russell, Freeman, Hale, Hill, Langford, Lindsey, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Butler, B.I.R., HB 937, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Lindsey, Lipscomb, McClain, Roberts, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 937.** Proposing an amendment to the Constitution of Alabama of 1901, relating to Limestone County, to provide that the planning and zoning regulation of a municipality located wholly or partially in Limestone County shall not extend beyond the corporate limits of the municipality.

was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Denton, Dial, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, Mitchem, Myers, Poole, Roberts, Sanders, and Smith -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Butler, B.I.R., HB 986, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Hale, Langford, Lipscomb, Little, Mitchell, Mitchem, Poole, Roberts, Smitherman, Steele, and Waggoner -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 986.** Relating to Madison County; to amend Section 1 of Act 90-695, H. 789 of the 1990 Regular Session (Acts 1990, p. 1350), relating to court costs, to provide for an increase in court costs collected in all district court cases.

was read a third time at length and passed.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Armistead, Barron, Biddle, Butler, Clay, Davidson, Dial, Figures, Freeman, Hale, Hill, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-25

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

**SB 471.** Relating to the DeKalb County Commission; to provide for the election of members of the county commission from single-member districts; and to further provide for the full-time service and compensation of the members and chair of the commission.

GREG PAPPAS,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Barron, the Senate concurred in and adopted the following House amendment to the Bill, SB 471, the title of which is set out in the foregoing Message from the House, to-wit:

**AMENDMENT TO SB 471**

On page 2, line 9, delete the language "full-time" and insert in lieu thereof:

"part-time"

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Denton, Dial, Dixon, Freeman, Hale, Hill, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Sanders, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Little, B.I.R., HB 1036, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Biddle, Clay, Denton, Dial, Escott-Russell, Figures, Freeman, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1036.** Relating to Russell County; to establish a county commission; and to provide for the election of the members of the commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Smith, Smitherman, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Smith, B.I.R., HB 1041, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Denton, Dial, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1041.** Proposing an amendment to the Constitution of Alabama of 1901, relating to St. Clair County, authorizing the St. Clair County Commission to levy an additional ad valorem tax for fire protection and emergency medical services.

was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hill, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Clay, B.I.R., HB 1048, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Clay, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1048.** Relating to Macon County; to amend Section 15 of Act 83-575, 1983 Regular Session, as amended, relating to the Macon County Racing Commission; to further provide for the distribution of the net proceeds of fees, commissions, taxes, and other monies received by the Macon

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County Racing Commission from the operation of the racetrack.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedford, Butler, Clay, Davidson, Denton, Dial, Dixon, Figures, Freeman, Ghee, Hale, Hill, Langford, Little, McClain, Myers, Poole, Roberts, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Lipscomb, B.I.R., HB 1057, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Clay, Davidson, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Steele, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1057.** Relating to Baldwin County; amending Sections 2 and 3 of Act No. 85-684, H. 1056, (Acts 1985, p. 1097), relating to court charges and the Baldwin County Law Library and Judicial Administration Fund, to make the \$1.50 court costs applicable in civil and quasi civil actions, equity, criminal, quasi criminal, proceedings on forfeited bail or forfeited bond in the circuit court of Baldwin County under certain conditions applicable in the Juvenile Court and in civil actions filed in the District Court of Baldwin County; and providing that this act shall be construed together with other laws relating to court costs in Baldwin County, and ratifying collections retroactively to January 1, 1977.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Biddle, Clay, Davidson, Denton, Dixon, Figures, Freeman, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Clay, B.I.R., HB 1086, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial, Escott-Russell, Freeman, Hale, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smitherman, Steele, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 1086.** Relating to the City of Phenix City, Alabama, to repeal conflicting provisions of Act 13, 1947 Regular Session, as amended, relating to the firemen's and policemen's pension and relief fund, upon acceptance of the fund as a city unit member under the Employees' Retirement System.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Biddle, Clay, Dial, Dixon, Escott-Russell, Figures, Hale, Langford, Lindsey, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Little, B.I.R., HB 1088, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Langford, Lindsey, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, and Smitherman -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1088.** Relating to Lee County; amending Act 92-511 of the 1992 Regular Session, relating to an unattended or abandoned motor vehicle and the towing of certain motor vehicles, to provide further that in the jurisdiction of the City of Auburn, the city council may provide by ordinance for the charges and the manner in which unattended or abandoned motor vehicles may be wheel locked and towed.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hill, Little, McClain, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Lipscomb, B.I.R., HB 1089, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial,



Escott-Russell, Figures, Freeman, Hale, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, Steele, and Waggoner -25

Nays: - 0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

**HB 1089.** Relating to Baldwin County; authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; providing for such an auction and for the disposition of proceeds.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Biddle, Clay, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Steele, Waggoner, and Windom -25

Nays: - 0

### BUDGET ISOLATION RESOLUTION

Senator Mitchell, B.I.R., HB 1097, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Biddle, Butler, Davidson, Dial, Dixon, Figures, Freeman, Ghee, Hale, Hill, Lindsey, Little, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, and Smitherman -25

Nays: - 0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

**HB 1097.** To alter, rearrange, and extend the boundary lines and

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corporate limits of the municipality of Greenville in Butler County.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Lindsey, B.I.R., HB 1098, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Clay, Denton, Dial, Dixon, Figures, Ghee, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1098.** Relating to Conecuh County; authorizing the county commission to impose an excise tax on persons, corporations, partnerships, companies, agencies, associations, trusts, estates, and other entities engaged in the business of selling, distributing, storing, or withdrawing from storage, gasoline and motor fuel in Conecuh County in an amount not to exceed three cents (\$0.03) per gallon; to provide for the collection and payment of the taxes and to provide for the distribution of the funds derived therefrom; to authorize the county commission to make rules and regulations for the collection of the tax; to provide for the enforcement of this act; to fix the penalty for the violation of this act; and to provide for a referendum on this act.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Clay, Davidson, Denton, Dial, Dixon, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Clay, B.I.R., HB 1101, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Figures, Freeman, Hale, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Smitherman, Steele, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1101.** Relating to Macon County; authorizing the levy, collection, and distribution of an occupational privilege license fee and providing for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smith, Steele, and Waggoner -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Dial, B.I.R., HB 1105, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smitherman, Steel, and Waggoner -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1105.** Relating to Cherokee County; levying a lodging tax and providing for the distribution of the proceeds from the tax.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hill, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smitherman, and Steel -25

Nays:

- 0

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

**SB 672.** Relating to Macon County; providing that the members of the county commission shall run for election from four single-member districts; providing that the chair of the county commission shall run for election at-large; providing that the chair of the county commission shall serve full time; providing for the compensation of the chair of the county commission and the members of the county commission; providing for the operation and personnel of the county commission; providing for the establishment of a unit system for road maintenance, repair, and construction; providing for the employment, qualifications, and compensation of a county engineer; defining the authority, powers, and duties of the county engineer and county commission; and repealing Act 334, H. 826, of the 1939 Regu-

lar Session (Local Acts, 1939, p. 225); Act 216, H. 669, of the 1969 Regular Session (Acts 1969, p. 535); Act 1996, H. 2195 of the 1971 Regular Session (Acts 1971, p. 3238); Act 84-583, H. 884 of the 1984 Regular Session (Acts 1984, p. 1218); Act 90-313, H. 798 of the 1990 Regular Session (Acts 1990, p. 428); and Act 91-817, H. 78 of the 1991 Regular Session (Acts 1991, p. 217).

Also:

**SB 715.** Relating to Etowah County; to provide further for the compensation for the board of equalization.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

**SB 717.** Relating to Perry County; providing for an additional expense allowance and salary for the Perry County Board of Education.

Also:

**SB 636.** Relating to Clay County; to repeal Act 82-269, H. 736, of the 1982 Regular Session, relating to the administration of absentee voting in the county.

Also:

**SB 697.** Relating to Baldwin County; providing for additional court costs to be imposed on each person incarcerated in the Baldwin County jail; and providing for distribution of the revenues to be derived from the additional court costs.

Also:

**SB 698.** Relating to Baldwin County; authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or un-

claimed firearms; providing for such an auction and for the disposition of proceeds.

GREG PAPPAS,  
Clerk.

**BUDGET ISOLATION RESOLUTION**

Senator Hill, B.I.R., HB 1106, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Myers, Poole, Sanders, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1106.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Eclectic in Elmore County; and to further provide for the police jurisdiction of the municipality.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Figures, Ghee, Hill, Lindsey, Lipscomb, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom-25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator McClain, B.I.R., HB 915, adopted.

Yeas 25 Nays 3

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Butler, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Poole, Smith, Smitherman, and Windom  
-25

Nays:

Senators:

Amari, Biddle, and Waggoner

- 3

### BILLS ON THIRD READING RESUMED

#### THE BILL:

**HB 915.** Relating to any Class 1 municipality; to authorize the incorporation of an authority as a public corporation for the purpose of providing public transportation service, upon the filing of an application with and the authorization of the incorporation by the governing body of the principal county where the Class 1 municipality is located and the governing body of the Class 1 municipality in the county; to provide for the amendment of the certificate of incorporation of an authority for certain purposes at any time, upon the authorization of each amendment by the governing body of the principal county by which its incorporation was authorized and by the governing body of the Class 1 municipality in the county; to provide for the election and compensation of directors of the authority; to provide for the powers, authorities, and duties of an authority and its board of directors; to authorize an authority to acquire, construct, operate, improve, and finance one or more transit systems; to confer on an authority the power of eminent domain; to authorize an authority to expend funds for the purchase or lease of materials, equipment, supplies, or other personal property involving less than \$2,000, employ officers, employees, and agents without regard to any provisions of the state bid law or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by the authority; to provide for the issuance by an authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of any tax proceeds appropriated, allocated, or made payable to the authority or the revenues of any one or more of the transit systems of an authority, without regard to the system or systems with respect to which the revenue securities may have been issued; to provide that the revenue securities shall constitute negotiable instruments; to provide that the revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding an authority for the proper application of its revenues and

of the proceeds of the revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities are payable; to provide that any revenue securities of the authority may be issued under a trust indenture; to provide for constructive notice of any statutory mortgage lien; to authorize the assumption by an authority of obligations respecting any transit system, or parts thereof, acquired by the authority; to provide for the use of the proceeds of any revenue securities issued by an authority; to provide for the refunding, by the issuance of revenue securities of an authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by an authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality, or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend, or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to an authority; to exempt the property and income of an authority, and all securities issued by an authority and the income from the securities, and conveyances, leases, and mortgages and deeds of trust to which the authority is a party from all taxation in the state, to exempt every authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt the authority from payment of certain charges to judges of probate; to provide that each authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by an authority; to require the board of directors of an authority to adopt an annual budget and to cause annual audits of the books and records of the authority to be made; to provide that no employee of an authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; to provide for the dissolution of an authority and the disposition of its property; to provide for taxation; and to provide for a referendum.

was read a third time at length and passed.

Yeas 25 Nays 3  
Abstaining 3

Yeas:

Senators:

Armistead, Bedford, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, Little, McClain,



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Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

Senators:

Amari, Biddle, and Waggoner - 3

Abstaining:

Senators:

Adams, Dial, and Poole - 3

**BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 1011, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Barron, Bedford, Butler, Davidson, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1011.** Relating to Mobile County; repealing Act 476, H. 1434, 1915 Regular Session, which prohibits persons from hauling timber or logs on a two wheel vehicle over the highways of the county.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, and Windom-25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Clay, B.I.R., HB 923, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Dial, Es-  
cott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little,  
McClain, Mitchell, Myers, Roberts, Sanders, Steele, and Waggoner -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 923.** Relating to Russell County; to amend Section 1 of Act  
95-573, H. 507 of the 1995 Regular Session, creating the Russell County  
Planning Commission; to provide further for the manner of appointment of  
members of the planning commission.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Dial, Dixon, Fig-  
ures, Freeman, Ghee, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Roberts, Sanders, Smith, Steele, Waggoner, and Win-  
dom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Lipscomb, B.I.R., HB 1035, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Den-  
ton, Dial, Dixon, Figures, Freeman, Hale, Hill, Langford, Lindsey, Lip-  
scomb, Little, McClain, Mitchell, Roberts, Sanders, Smitherman, and Win-  
dom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1035.** Relating to the Twenty-Eighth Judicial Circuit of Alabama and the establishment of a Pre-Trial Intervention Program by the District Attorney.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Butler, Davidson, Denton, Dial, Escott-Russell, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Lipscomb, B.I.R., HB 1090, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Denton, Dial, Dixon, Freeman, Ghee, Hale, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Poole, Sanders, Smith, Steele, Waggoner, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1090.** Relating to Baldwin County; providing for additional court costs to be imposed on each person incarcerated in the Baldwin County jail; and providing for distribution of the revenues to be derived from the additional court costs.

was read a third time at length and passed.

Yeas 25 Nays 0

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Yeas:

Senators:

Adams, Armistead, Biddle, Butler, Denton, Dial, Escott-Russell, Figures, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 627, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Clay, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Smitherman, and Windom -25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 627.** Relating to Mobile County; to regulate the keeping of certain wildlife within five miles of any school; and to provide for civil enforcement of this act.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Armistead, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Hale, Lindsey, Lipscomb, Little, McClain, Mitchem, Myers, Poole, Sanders, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Figures, B.I.R., HB 637, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Dixon, Figures, Freeman, Ghee, Langford, Lindsey, Lipscomb, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom-25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 637.** Relating to Mobile County; to amend Section 1 of Act 91-368, 1991 Regular Session, relating to annual supplemental salary of the revenue commissioner, to alter the monetary amount.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Biddle, Butler, Clay, Denton, Dial, Escott-Russell, Figures, Freeman, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smitherman, Steele, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 900, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Clay, Dial, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, and Windom -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 900.** Relating to Mobile County; to amend Section V of Act

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470, H. 952, 1939 Regular Session (Local Acts 1939, p. 298), as further amended by Act 167, H. 231, 1955 Regular Session (Local Acts 1955, p. 431); Act 684, H. 594, 1976 Regular Session (Acts 1976, p. 939); and Act 86-479, H. 629, 1986 Regular Session (Acts 1986, p. 910), relating to the establishment of a countywide civil service system; to add the Treasurer of Mobile County to the Supervisory Committee of the Mobile County Personnel Board.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Bailey, Bedford, Biddle, Clay, Denton, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-25

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R., HB 919, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Davidson, Denton, Dial, Escott-Russell, Figures, Ghee, Hale, Langford, Lipscomb, Little, Mitchell, Mitchem, Myers, Roberts, Sanders, Smitherman, Steele, and Windom

-25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 919.** To provide for a retirement system for police and firefighters of the City of Mobile, Alabama; providing for membership and service requirements, eligibility, amount, and payment of benefits; providing for employer and employee contributions to the system; providing for administration and management of the system under a board of trustees; providing for certain limitations on benefits to certain employees; providing for appeals from decisions made by the board; and repealing Act 243, H.

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278, 1964 First Special Session (Acts 1964, p. 326), Act 400, H. 564, 1965 Regular Session (Acts 1965, p. 576), Act 359, H. 366, 1966 Special Session (Acts 1966, p. 499), Act 180, H. 167, 1967 Regular Session (Acts 1967, p. 231), Act 1484, S. 1030, 1971 Regular Session (Acts 1971, p. 2540), Act 887, S. 740, 1978 Regular Session (Acts 1978, p. 1315), Act 80-339, H. 875, 1980 Regular Session (Acts 1980, p. 458), Act 85-231, H. 211, 1985 Regular Session (Acts 1985, p. 130), Act 85-312, H. 176, 1985 Regular Session (Acts 1985, p. 211), Act 85-938, H. 129, 1985 Special Session (Acts 1985, p. 241), Act 86-475, H. 478, 1986 Regular Session (Acts 1986, p. 900), Act 90-198, S. 566, 1990 Regular Session (Acts 1990, p. 229), Act 91-701, H. 980, 1991 Regular Session (Acts 1991, p. 1365), and Act 95-571, H. 598, 1995 Regular Session (Acts 1995, p. 1194).

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Bedford, Butler, Clay, Davidson, Denton, Dixon, Figures, Freeman, Hale, Hill, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Steele, and Windom -25

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

**SB 699.** Relating to Baldwin County; amending Sections 2 and 3 of Act No. 85-684, H. 1056, (Acts 1985, p. 1097), relating to court charges and the Baldwin County Law Library and Judicial Administration Fund, to make the \$1.50 court costs applicable in civil and quasi civil actions, equity, criminal, quasi criminal, proceedings on forfeited bail or forfeited bond in the circuit court of Baldwin County under certain conditions applicable in the Juvenile Court and in civil actions filed in the District Court of Baldwin County; and providing that this act shall be construed together with other laws relating to court costs in Baldwin County, and ratifying collections retroactively to January 1, 1977.

Also:

**SB 714.** Relating to the Elected Assistant District Attorney's

Office, Tenth Judicial Circuit, Jefferson County, Bessemer Division; to provide for the appointment, duties, and compensation of deputy district attorneys; and to repeal the following acts: No. 245, H. 845, 1975 Regular Session (Acts 1975, p. 773); Act No. 87-721, H. 896, 1987 Regular Session (Acts 1987, p. 1411); Act No. 90-202, H. 449, 1990 Regular Session (Acts 1990, p. 237); and Act No. 93-648, S. 382, 1993 Regular Session (Acts 1993, p. 1119); all relating to the office and compensation of the deputy district attorneys in the Tenth Judicial Circuit, Bessemer Division.

Also:

**SB 67.** Relating to Mobile County; to provide pilot programs for site-based management for the Mobile County School System.

Also:

**SB 80.** Relating to Mobile County; requiring the board of school commissioners to adopt a dress code for students.

Also:

**SB 652.** To provide for a retirement system for police and firefighters of the City of Mobile, Alabama; providing for membership and service requirements, eligibility, amount, and payment of benefits; providing for employer and employee contributions to the system; providing for administration and management of the system under a board of trustees; providing for certain limitations on benefits to certain employees; providing for appeals from decisions made by the board; and repealing Act 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), Act 400, H. 564, 1965 Regular Session (Acts 1965, p. 576), Act 359, H. 366, 1966 Special Session (Acts 1966, p. 499), Act 180, H. 167, 1967 Regular Session (Acts 1967, p. 231), Act 1484, S. 1030, 1971 Regular Session (Acts 1971, p. 2540), Act 887, S. 740, 1978 Regular Session (Acts 1978, p. 1315), Act 80-339, H. 875, 1980 Regular Session (Acts 1980, p. 458), Act 85-231, H. 211, 1985 Regular Session (Acts 1985, p. 130), Act 85-312, H. 176, 1985 Regular Session (Acts 1985, p. 211), Act 85-938, H. 129, 1985 Special Session (Acts 1985, p. 241), Act 86-475, H. 478, 1986 Regular Session (Acts 1986, p. 900), Act 90-198, S. 566, 1990 Regular Session (Acts 1990, p. 229), Act 91-701, H. 980, 1991 Regular Session (Acts 1991, p. 1365), and Act 95-571, H. 598, 1995 Regular Session (Acts 1995, p. 1194).

Also:

**SB 674.** Relating to Tuscaloosa County; to amend Section 2 of Act 94-568, H. 897, 1994 Regular Session (Acts 1994, p. 1040), relating to the Office of the Sheriff in Tuscaloosa County; to provide further for the compensation of the chief jailer.



Also:

**SB 707.** Relating to Tuscaloosa County, Alabama: to amend and reenact Act 86-656, 1986 First Special Session (Acts 1986, p. 39), as amended, establishing a fire district, pursuant to Amendment No. 358 to the Constitution of Alabama of 1901, for the purpose of preventing fires or for fire protection and certain other public service in Tuscaloosa County; providing for the manner such district may be created for any area; providing for the petition for any proposed district and the election thereon; providing that the expense of the conducting such election shall be paid by the county except that if the district is created the district shall reimburse the county; providing that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; providing that no district shall be created unless the creation thereof has been approved by the majority of votes cast at an election; providing that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; providing for the enlargement and contraction of the district; providing for the management and operation of each district; providing for the election of a fire district board, except the initial board made up of the existing board of the directors of each volunteer fire department, each being a public corporation; providing for the terms of office of the members of the board; providing for the officers compensation, expense allowance and duties of the members of the board; defining the rights, power, and authority of the district; authorizing any such district to pledge all or any parts of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; authorizing any such district to levy and collect service charges or fees subject to certain limitations; providing that such services charges or fees shall not be levied unless the same is first approved by a majority of the votes cast by the qualified electors residing within the district; providing for the dissolution of any such district; providing that the provisions of this act are severable; repealing all laws, or parts of laws, in the conflict with the act; and providing for the effective date of the act.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 874.** Relating to Pickens County; proposing an amendment

to the Constitution of Alabama of 1901; authorizing the Pickens County Commission to levy a three mill ad valorem tax for fire protection.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 44.** Relating to subordinate officers and employees of the Legislature; providing for the election, appointment, number, duties, powers, compensation, classification, and supervision of these officers and employees; providing that the Offices of the Lieutenant Governor and the Speaker of the House of Representatives are distinct and specifying the powers of the Lieutenant Governor and the Speaker in the operation of their offices; amending Sections 29-1-9, 29-1-12, 29-2-22, 29-2-41, and 29-2-62 of the Code of Alabama 1975; repealing Chapter 4 of Title 29 of the Code of Alabama 1975 and adding a new chapter in lieu thereof relating to subordinate officers and employees of the Legislature; repealing Sections 29-2-7, 29-2-21, and 29-2-53 of the Code of Alabama 1975; and providing for a delayed effective date.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 640.** To amend Sections 40-23-1, as amended by Act 96-887, 1996 Regular Session, 40-23-4, as amended by Act 96-544, 1996 Regular Session, 40-23-60, Code of Alabama 1975, and 40-23-62, as amended by Act 96-544, 1996 Regular Session, to specifically include canned computer software into the definitions of "sales" and "purchase"; to define canned computer software to make it subject to sales tax and use tax; and to exempt computer software for use in research and experimentation from sales and use taxes.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 166.** Relating to Calhoun County; proposing an amendment to the Constitution of Alabama of 1901, to create a committee composed of two persons appointed by the Democratic Party, two persons appointed by the Republican Party, and the judge of probate to design and approve primary election ballots.

GREG PAPPAS,  
Clerk.

**BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 995, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Butler, Denton, Dial, Escott-Russell, Figures, Freeman, Ghee, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smitherman, Steele, and Windom  
-25

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 995.** Relating to Mobile County; to provide additional compensation for the members of the Mobile County Board of School Commissioners.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Bailey, Barron, Biddle, Butler, Clay, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Langford, Lindsey, Lipscomb, Little,

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Mitchem, Myers, Poole, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 1043, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Biddle, Butler, Denton, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smitherman, Steele, and Windom -25

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 1043.** Relating to Mobile County; to amend Section 1 of Act 91-370, 1991 Regular Session as amended, relating to annual supplemental salary of the license commissioner, to alter the monetary amount.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Biddle, Clay, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Hill, Lindsey, Lipscomb, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, and Windom -25

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Windom, B.I.R., HB 1094, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Biddle, Butler, Davidson, Denton, Escott-Russell, Figures, Freeman, Hale, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

**HB 1094.** Relating to Mobile County; to provide that on and after the effective date of this act, the Treasurer of Mobile County shall be entitled to an automobile expense allowance as reimbursement for the official use of a personal vehicle and the fuel, oil, and repairs of the vehicle in conducting official duties.

was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Butler, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Myers, Poole, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 949.** Relating to Geneva County; to provide for the election of the Geneva County Board of Education from five single-member districts; to define the boundaries of the districts; to include within those districts all of Geneva County except that area located within the corporate limits of the City of Geneva; to authorize the board to change the boundaries of the election districts; to establish procedures for making changes;

and to repeal Act 393, H. 681, 1931 Regular Session (1931 Acts, p. 175).

GREG PAPPAS,  
Clerk.

### BUDGET ISOLATION RESOLUTION

Senator Windom, B.I.R., HB 1096, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Biddle, Butler, Clay, Davidson, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hill, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -25

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 1096.** Relating to Mobile County; to amend Section V of Act 470, H. 952, 1939 Regular Session (Local Acts 1939, p. 298), as further amended by Act 167, H. 231, 1955 Regular Session (Local Acts 1955, p. 431); Act 684, H. 594, 1976 Regular Session (Acts 1976, p. 939); and Act 86-479, H. 629, 1986 Regular Session (Acts 1986, p. 910), relating to the establishment of a countywide civil service system; to add the Treasurer of Mobile County to the Supervisory Committee of the Mobile County Personnel Board.

was taken up.

Senator Windom offered the following substitute for the Bill, HB 1096, to-wit:

### SUBSTITUTE FOR HB 1096

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Mobile County; to amend Section V of Act 470, H. 952, 1939 Regular Session (Local Acts 1939, p. 298), as further amended

by Act 167, H. 231, 1955 Regular Session (Local Acts 1955, p. 431); Act 684, H. 594, 1976 Regular Session (Acts 1976, p. 939); and Act 86-479, H. 629, 1986 Regular Session (Acts 1986, p. 910), relating to the establishment of a countywide civil service system; to add the Treasurer of Mobile County to the Supervisory Committee of the Mobile County Personnel Board; and to require confirmation by a majority vote of the Mobile County legislative delegation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section V of Act 470, H. 952, 1939 Regular Session (Local Acts 1939, p. 298), as further amended by Act 167, H. 231, 1955 Regular Session (Acts 1955, p. 431); Act 684, H. 594, 1976 Regular Session (Local Acts 1976, p. 939); and Act 86-479, H. 629, 1986 Regular Session (Acts 1986, p. 910) is amended to read as follows:

“Section V. (a) There is established the Supervisory Committee of the Mobile County Personnel Board. This committee shall be in lieu of the Citizen’s Supervisory Committee created by Act 470, H. 952 of 1939 (Local Acts of Alabama, 1939, p. 298) and in lieu of the Supervisory Committee of the Mobile County Personnel Board created by Act 167, H. 231 of the 1955 Regular Session of the Legislature, (Local Acts of Alabama, 1955, p. 431) both of which are abolished. The Supervisory Committee hereby created shall succeed to and exercise all the rights, powers, and authority, and shall perform all the duties and functions now vested in and required of the Citizen’s Supervisory Committee created by Act 470, H. 952 of 1939 (Local Acts of Alabama, 1939, p. 298) and the Supervisory Committee of the Mobile County Personnel Board created by Act 167, H. 231 of the 1955 Regular Session of the Legislature (Local Acts of Alabama 1955, p. 431).

“(b) The Supervisory Committee of the Mobile County Personnel Board shall be composed of the following:

“1. The persons holding each of the following elective offices in Mobile County, Alabama, namely, the Presiding Judge of the Circuit Court, the Judge of Probate, the Presiding Judge of the District Court of Mobile County, the Tax Assessor, the Tax Collector, the County License Commissioner, the Chairman of the Mobile County Commission, the Sheriff of Mobile County, the Treasurer of Mobile County, and the Mayor of each of the incorporated towns and cities in Mobile County.

“2. The following non-elected officials shall also be members of the Supervisory Committee: The President or other chief executive officer of the Mobile County Municipal Association; a representative elected by all of the professional law enforcement officers of Mobile County, (includ-

ing all members of MCLEA); a representative elected by all the professional fire fighters of Mobile County; and a representative elected by the employees under the Mobile County Merit System; each of whom shall be a bona fide resident and qualified elector of Mobile County. The representatives of the professional law enforcement officers of Mobile County, (including all members of MCLEA), the professional fire fighters of Mobile County, and the employees employed under the Mobile County Merit System, shall be elected at meetings called for that purpose by the Chair of the Supervisory Committee, notice of which shall be given to the members of their representative class by publication once each day for three consecutive days preceding the meetings in a newspaper of general circulation, published in Mobile County. The notice of publication shall be signed by the Chair of the Supervisory Committee, and shall state briefly the purpose of the meeting together with the date, time, and place of holding the meeting. All meetings shall be held at the Mobile County Courthouse, or some other public meeting place designated by the Chair of the Supervisory Committee. The Chair of the Supervisory Committee or any other person designated by him, shall preside at the meetings and Robert's Rules of Order shall be followed in the conduct of the meetings. The members of the Supervisory Committee so elected shall serve for four-year terms or until their successors are elected and qualified. In the event of a vacancy, the vacancy shall be filled in the same manner as the initial members are elected, to complete the unexpired term. Only full-time permanent employees in each representative class shall be eligible to vote at the election. The Personnel Department shall certify to the Chair of the Supervisory Committee the names of all law enforcement officers, fire fighters, and other employees eligible to vote at the election at least two days prior to the meeting or meetings called for that purpose.

“(c) Except as otherwise provided herein, each member of the Supervisory Committee shall be entitled to cast one vote on any matters considered at any regular or special meeting of the Supervisory Committee. In addition thereto, each jurisdiction in Mobile County under the control of the Mobile County Civil Service System, shall be entitled to cast one additional vote for each 400, or a major fraction thereof, Civil Service employees occupying permanent positions as of December 31st of the year preceding any meeting of the Supervisory Committee, additional votes to be cast by the elected official designated in (b) 1 above having appointing authority over the employees in the jurisdiction. All voting of the Supervisory Committee shall be by roll call vote. Voting by proxy shall not be allowed.

“(d) The Presiding Judge of the Circuit Court of Mobile County shall be chair of the committee and shall be entitled to vote only in case of a tie. The chair shall pass upon the credentials and right of each person to sit thereon. He shall be the sole judge of the number of votes a member of the



committee shall have as provided for in Subsection (c) above. The chair shall call the first organizational meeting of the Supervisory Committee hereby as soon as practicable after this act becomes effective. In the call, the chair shall specify the date and hour of the meeting and designate the place thereof, and shall mail a copy thereof to each member of the committee. At its first meeting, the committee shall adopt rules, regulations, and modes of procedure as it deems expedient to enable it to dispatch its business in an orderly manner, and, thereafter, from time to time, the committee may amend or rescind the rules, regulations, and modes of procedure or adopt additional ones. In addition to the organizational meeting hereby prescribed, the committee shall meet on the 1st Tuesday in March of each year, unless the day is a legal holiday, in which event the annual meeting of the committee shall be held on the day following the legal holiday. In addition to these meetings, the committee may hold special meetings on the call of the chair or any seven members thereof. All meetings of the committee shall be held at the county courthouse or some other public place designated by the chair. Notice shall be given of all meetings and shall be signed by the person or persons calling the meeting and shall state briefly the purposes of the meeting; notice shall be mailed to each person registered as a member of the committee or known to be eligible, and shall also be published once each day for three consecutive days immediately preceding the meeting in some daily newspaper published in Mobile County. Notice of the annual meeting shall be given in like manner, but failure of any member to receive notice by mail of any meeting, either annual or special, shall not invalidate it. Provided that at any regular or special meeting of the committee a day may be set for the next meeting of the committee and in this event no further notice of the meeting shall be required. A majority of the persons then serving as members of the committee shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time to compel the attendance of absent members in a manner and under penalties as may be prescribed by rules and regulations of the committee. The Supervisory Committee shall serve without compensation.

“(e) Appointments of the supervisory committee to the Mobile County Personnel Board shall be subject to confirmation by a majority vote of the members of the Mobile County Senate delegation and a majority vote of the Mobile County House delegation.”

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

Which was adopted.

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Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Hill, Lipscomb, Mitchell, Mitchem, Myers, Poole, Sanders, Smith, Smitherman, Waggoner, and Windom -25

Nays:

- 0

And said Bill, HB 1096, as thus amended, was read a third time at length and passed.

Yeas 25 Nays 0

Yeas:

Senators:

Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Dial, Dixon, Escott-Russell, Figures, Freeman, Hill, Langford, Lindsey, Lipscomb, McClain, Myers, Poole, Sanders, Smith, Smitherman, Steele, and Windom -25

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Ghee, B.I.R, HB 469, adopted.

Yeas 25 Nays 0

Yeas:

Senators:

Bailey, Barron, Bedford, Biddle, Butler, Denton, Dial, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Waggoner -25

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 469.** Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected public officials in Calhoun County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

was read a third time at length as required by the Constitution and passed.

Yeas 25 Nays 0

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Yeas:

Senators:

Amari, Armistead, Bedford, Biddle, Butler, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Sanders, and Smith -25

Nays:

- 0

Senator Mitchell requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 269.** To amend Sections 12-15-1.1, 12-15-32, and 12-15-71 of the Code of Alabama 1975, to further provide for the jurisdiction of the juvenile courts under certain conditions; to further provide for a child to pay restitution for offenses under the jurisdiction of the juvenile court; and to provide that restitution against the parent, guardian, or child shall be governed by the same principles applicable to other offenders.

And on motion of Senator Mitchell, the Rules were suspended and further consideration of the Bill, HB 269, was postponed subject to the call of the Chair.

**BUDGET ISOLATION RESOLUTION**

Senator Butler requested and received permission to suspend the Rules in order to bring up the Bill, HB 89.

Senator Butler, B.I.R., HB 89, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 89.** To allow an active and contributing member of the

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Employees' Retirement System to purchase up to a certain amount of prior service credit in the system for service rendered as an employee of a welcome center.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**FURTHER CONSIDERATION OF HB 117**

The Senate proceeded to further consideration of the Bill:

**HB 117.** To make an appropriation of \$192,600 from the State General Fund to the Alabama Council on Child Abuse, Inc. for the fiscal year ending September 30, 1998, and requires an operations plan and an audited financial statement prior to release of any funds.

having been reconsidered and postponed subject to the call of the Chair.

And said Bill, HB 117, was again read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**FURTHER CONSIDERATION OF HB 9**

The Senate proceeded to further consideration of the Bill, HB 9.

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And said Bill, HB 9, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

**SJR 167.** COMMENDING THE MONTGOMERY SOUTH-EAST YMCA GIRLS' UNDER 10 SOCCER TEAM.

Also:

**SJR 168.** MOURNING THE DEATH OF COUNCILMAN KENNETH HERBERT BROWN OF AUBURN, ALABAMA.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 685.** To alter and rearrange the boundary lines and corporate limits of the municipality of Anniston in Calhoun County to remove certain property from the corporate limits of the municipality.

GREG PAPPAS,  
Clerk.

**BUDGET ISOLATION RESOLUTION**

Senator Freeman, B.I.R., HB 389, adopted.

Yeas 29 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Figures, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -29

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 389.** To prohibit employers, employment agencies, labor unions, and associations from discriminating on the basis of age in hiring, job retention, compensation, and other terms and conditions of employment; and to provide for recovery of amounts owed for violations.

was read a third time at length and passed.

Yeas 27 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Davidson, Denton, Dial, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Steele, and Windom -27

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Mitchell, B.I.R., HB 269, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**FURTHER CONSIDERATION OF HB 269**

The Senate proceeded to further consideration of the Bill, HB 269.

And said Bill, HB 269, was read a third time at length and passed.

Yeas 27 Nays 0

Yeas:

Senators:

Adams, Barron, Biddle, Butler, Clay, Denton, Dial, Dixon, Figures, Free-  
man, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitch-  
ell, Mitchem, Myers, Poole, Roberts, Smith, Steele, Waggoner, and Win-  
dom -27

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Hale requested and received permission to suspend the Rules  
in order to bring up the Bill, HB 20.

Senator Hale, B.I.R., HB 20, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 20.** To make conditional appropriations from the Educa-  
tion Trust Fund for the fiscal year ending September 30, 1997 for capital

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outlay purposes for the replacement of or repairs to schools damaged by fire or natural disaster as follows: (1) To the Cullman County Board of Education: one million five hundred thousand dollars (\$1,500,000); (2) to the Madison County Board of Education: one hundred fifty thousand dollars (\$150,000); (3) to the Tallapoosa County Board of Education: four hundred fifty thousand dollars (\$450,000); (4) to the Montgomery County Board of Education: four hundred thousand dollars (\$400,000); and (5) to the Elmore County Board of Education; three hundred thousand dollars (\$300,000); and to make conditional appropriations from the Education Trust Fund for the fiscal year ending September 30, 1998 to the same boards of educations for the same purposes in the event the conditional appropriations made by this act for the fiscal year ending September 30, 1997 are not released.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following amendment to the Bill, HB 20, to-wit:

**AMENDMENT TO HB 20**

Amend HB 20 on Page 1, line 27, by deleting the word “and”

Further amend HB 20 on Page 1, line 28, after “(\$300,000);” by inserting the following new language:

“and (6) to the Lamar County Board of Education: one hundred fifty thousand dollars (\$150,000);”

Further amend HB 20 on Page 2, line 19, by inserting the following new language:

“(6) Lamar County Board of Education.....\$150,000”

On motion of Senator Hale, said amendment was laid on the table.

Senator Hale then offered the following substitute for the Bill, HB 20, to-wit:

**SUBSTITUTE FOR HB 20**

A BILL  
TO BE ENTITLED  
AN ACT

To make conditional appropriations from the Education Trust Fund



for the fiscal year ending September 30, 1997, for capital outlay purposes for the replacement of or repairs to schools damaged by fire or natural disaster as follows: (1) to the Cullman County Board of Education: three million dollars (\$3,000,000); (2) to the Madison County Board of Education: one hundred fifty thousand dollars (\$150,000); (3) to the Tallapoosa County Board of Education: nine hundred thousand dollars (\$900,000); (4) to the Montgomery County Board of Education: four hundred thousand dollars (\$400,000); (5) to the Elmore County Board of Education: three hundred thousand dollars (\$300,000); and (6) to the Lamar County Board of Education: one hundred fifty thousand dollars (\$150,000); to make conditional appropriations from the Education Trust Fund for the fiscal year ending September 30, 1998 to the same boards of education for the same purposes in the event the conditional appropriations made by this act for the fiscal year ending September 30, 1997 are not released; and to make appropriations from the Education Trust Fund for the fiscal year ending September 30, 1999, to the same boards of education for the same purposes in the event the conditional appropriations made by this act for the fiscal years ending September 30, 1997 and 1998, are not released.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is appropriated to the following local boards of education from the Education Trust Fund the following amounts for the fiscal year ending September 30, 1997, to be conditioned on the availability of funds in the Education Trust Fund and the approval of the Governor. These conditional appropriations shall be used for capital outlay purposes for the replacement of or repairs to schools damaged by fire or natural disaster as follows:

- (1) Cullman County Board of Education ..... \$3,000,000.
- (2) Madison County Board of Education for Madison  
County High School ..... \$150,000.
- (3) Tallapoosa County Board of Education for Reel-  
town High School ..... \$900,000.
- (4) Montgomery County Board of Education .. \$400,000.
- (5) Elmore County Board of Education ..... \$300,000.
- (6) Lamar County Board of Education ..... \$150,000.

Section 2. In the event the conditional appropriations provided for in Section 1 of this act are not released in full by the Governor, those amounts

are hereby appropriated in the same amounts to the same entities for the same purposes from the Education Trust Fund for the fiscal year ending September 30, 1998, to be conditioned on the availability of funds in the Education Trust Fund and the approval of the Governor. In the event some portion of the conditional appropriations are released in fiscal year 1997, only the amounts necessary to obtain the amounts provided in Section 1 are hereby conditionally appropriated from the Education Trust Fund for the fiscal year ending September 30, 1998, contingent upon the availability of funds in the Education Trust Fund and the approval of the Governor.

Section 3. In the event the conditional appropriations provided for in Sections 1 and 2, above, of this act are not released in full by the Governor, those amounts are hereby appropriated in the same amounts to the same entities for the same purposes from the Education Trust Fund for the fiscal year ending September 30, 1999. In the event some portion of the conditional appropriations are released in either fiscal year 1997 or in fiscal year 1998, only the amounts necessary to obtain the amounts provided in Section 1 are hereby appropriated from the Education Trust Fund for the fiscal year ending September 30, 1999.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 27 Nays 1

Yeas:

Senators:

Adams, Armistead, Barron, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Figures, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, and Windom -27

Nay: Senator Sanders

- 1

And said Bill, HB 20, as thus amended, was read a third time at length and passed.

Yeas 27 Nays 1

Yeas:

Senators:

Adams, Armistead, Barron, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Figures, Freeman, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, and Windom -27

Nay: Senator Sanders

- 1

**BUDGET ISOLATION RESOLUTION**

Senator Windom requested and received permission to suspend the Rules in order to bring up the Bill, HB 566.

Senator Windom, B.I.R., HB 566, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 566.** To amend Sections 34-37-4 and 34-37-6, Code of Alabama 1975, relating to the Plumbers and Gas Fitters Examining Board, to provide for an increase in compensation for the members of the board; to clarify that an applicant for master gas fitter examination shall be a journeyman gas fitter; and to eliminate the provision for certification without examination.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said

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committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 471.** Relating to the DeKalb County Commission; to provide for the election of members of the county commission from single-member districts; and to further provide for the full-time service and compensation of the members and chair of the commission.

Also:

**SB 472.** Relating to DeKalb County; to amend Act No. 315, S. 448, 1923 Regular Session, as amended; to provide that the DeKalb County Superintendent of Education be elected by those qualified voters of the county residing outside of a municipality served by a city board of education.

Also:

**SB 539.** Relating to Dale County; providing for the establishment of a unit system for road maintenance, repair, and construction; providing for the employment, qualifications, and compensation of a county engineer; and defining the authority, powers, and duties of the county engineer and county commission.

Also:

**SB 603.** Relating to Macon County; to amend Section 15 of Act 83-575, 1983 Regular Session, as amended, relating to the Macon County Racing Commission; to further provide for the distribution of the net proceeds of fees, commissions, taxes, and other monies received by the Macon County Racing Commission from the operation of the racetrack.

Also:

**SB 619.** Relating to the City of Dothan in Houston County; to amend Section 2 of Act 543, H. 1252 of the 1977 Regular Session (Acts 1977, p. 711), providing for membership in the City of Dothan Pension and Retirement System, to provide for optional membership in the system for the city manager and the city attorneys; and to amend and reenact Section 4 of Act 91-487, H. 622 of the 1991 Regular Session (Acts 1991, p. 878), to provide further for the authorized investments of the pension board.

Also:

**SB 636.** Relating to Clay County; to repeal Act 82-269, H. 736, of the 1982 Regular Session, relating to the administration of absentee voting in the county.

Also:

**SB 637.** Relating to Clay County; to repeal Act 79-199, H. 638, of the 1979 Regular Session, relating to the maintenance of private roads in the county.

Also:

**SB 641.** Relating to Calhoun County; providing for the distribution of the proceeds of the state excise tax on beer levied pursuant to Chapter 3 of Title 28 of the Code of Alabama 1975; and ratifying and validating distributions of the tax proceeds prior to October 1, 1995.

Also:

**SB 665.** Relating to Fayette County; authorizing the Fayette County Commission to levy an additional one-cent sales and use tax for the purpose of financing the acquisition, construction, development, and financing of the Tom Bevill Reservoir Management Area, as well as to provide fire protection services in the county; providing for the collection, distribution, and use of the proceeds of the tax; prescribing penalties and fixing punishment for violation of this act; providing for a referendum; and providing for a termination date for the additional tax.

Also:

**SB 667.** Relating to the City of Oxford in Calhoun County; to amend Sections 3 and 12, Act 963, S. 1177, 1975 Regular Session, to include department heads under the city civil service act; and to provide further for the probationary period of employment in the civil service system.

Also:

**SB 672.** Relating to Macon County; providing that the members of the county commission shall run for election from four single-member districts; providing that the chair of the county commission shall run for election at-large; providing that the chair of the county commission shall serve full time; providing for the compensation of the chair of the county commission and the members of the county commission; providing for the operation and personnel of the county commission; providing for the establishment of a unit system for road maintenance, repair, and construction; providing for the employment, qualifications, and compensation of a county engineer; defining the authority, powers, and duties of the county engineer and county commission; and repealing Act 334, H. 826, of the 1939 Regular Session (Local Acts, 1939, p. 225); Act 216, H. 669, of the 1969 Regular Session (Acts 1969, p. 535); Act 1996, H. 2195 of the 1971 Regular Session (Acts 1971, p. 3238); Act 84-583, H. 884 of the 1984 Regular Session (Acts 1984, p. 1218); Act 90-313, H. 798 of the 1990 Regular

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Session (Acts 1990, p. 428); and Act 91-817, H. 78 of the 1991 Regular Session (Acts 1991, p. 217).

Also:

**SB 697.** Relating to Baldwin County; providing for additional court costs to be imposed on each person incarcerated in the Baldwin County jail; and providing for distribution of the revenues to be derived from the additional court costs.

Also:

**SB 698.** Relating to Baldwin County; authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; providing for such an auction and for the disposition of proceeds.

Also:

**SB 715.** Relating to Etowah County; to provide further for the compensation for the board of equalization.

Also:

**SB 717.** Relating to Perry County; providing for an additional expense allowance and salary for the Perry County Board of Education.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 216.** To provide for a FY 1996-97 supplemental General Fund appropriation in the amount of \$8,023,165 to various state agencies;

to provide for a FY 1996-97 supplemental appropriation to the Office of the Attorney General from the Attorney General Special Revenue Fund in the amount of \$700,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Corrections from the Corrections Special Revenue Fund in the amount of \$7,800,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Finance from the Data Center Revolving Fund in the amount of \$8,000,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Forensic Sciences from the Chemical Test Fund in the amount of \$800,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Licensure for Professional Geologists from the Board of Licensure for Professional Geologists Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Polygraph Examiners from the Board of Polygraph Examiners Fund in the amount of \$5,000; to provide for a FY 1996-97 supplemental appropriation to the University of Alabama at Birmingham School of Optometry from the University of Alabama at Birmingham School of Optometry Fund in the amount of \$36,464; to provide for a FY 1996-97 supplemental appropriation to the Board of Veterinary Medical Examiners from the Veterinary Medical Examiners Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Public Safety from the Public Safety Law Enforcement Fund in the amount of \$1,300,000; to provide for a FY 1996-97 supplemental appropriation to the Alabama Board for Registration for Architects from the Board for Registration of Architects Fund in the amount of \$100,000; to clarify language in Act 96-819, the General Fund Appropriations Act, relating to the Department of Human Resources; and to provide for an effective date.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

**SB 449.** To make a supplemental appropriation from the General Fund in the State Treasury to the Military Department, in the amount of \$560,000 for the fiscal year ending September 30, 1997.

Also:

**SB 706.** To alter and rearrange the boundaries of the City of Rainsville, DeKalb County, Alabama, so as to annex and include within the corporate limits thereof the territory hereinafter described.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 899.** Relating to Clarke County; authorizing the county commission to levy an additional sales and use tax and providing for the collection, distribution, and use of the proceeds of the tax.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 579.** To amend Section 33-4-48 of the Code of Alabama 1975, relating to compensation of pilots of ships and vessels; to increase certain pilotage drafts and compensation paid to pilots.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 991.** Relating to Calhoun County; to provide for an adult day care program to assist in the daily care and other activities of the elderly; to provide for definitions; to provide for licensure of adult care centers; to provide for inspections; to provide for fees; and to make an appropriation.

GREG PAPPAS,  
Clerk.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 465.** To amend Section 11-89-1 of the Code of Alabama 1975, to permit cooperative corporations organized under Article 9 (commencing with Section 10-4-190) of Chapter 4 of Title 10 of the Code of Alabama 1975, to form as an independent corporate instrumentality of the state to render water or sewer services.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 160.** Relating to Troy State University; amending Sections 16-56-1 through 16-56-12, inclusive, Code of Alabama 1975; repealing Sections 16-56-13 through 16-56-15, inclusive, Code of Alabama 1975; changing the name to the Troy State University System; specifying the purposes of the university system; specifying the authority of the university system to borrow money and incur obligations; prescribing the powers, duties, authority, and compensation of the board of trustees; providing for the reorganization of the board of trustees, the election of a president pro tempore, and the operation of the board; providing for the appointment of a chancellor of the university system; authorizing the board of trustees to promulgate rules and procedures; providing for vacancy on the board of trustees; and repealing certain existing provisions relating to nursing scholarships.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Executive Amendment to the Bill:

**SB 287.** To amend Section 32-6-233.1 of the Code of Alabama

1975, relating to unauthorized use of handicapped parking places; to provide further for the penalties; to further specify the prohibition on unauthorized persons parking in parking zones designated for handicapped persons at certain private businesses; to provide for the posting of the amount of the fine for a violation on signs designating handicapped parking places; and to provide for the enforcement of this act.

by a majority of those voting, said vote being: Yeas 77, Nays 1.

And said Bill, SB 287, together with the Executive Amendment, is herewith returned to the Senate.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 10.** Relating to the allocation of volumes of the acts and resolutions of each legislative session; to amend Section 36-14-11 of the Code of Alabama 1975; to adjust the allocation; and to permit a recipient upon written request to reduce or refuse a specified allocation.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 947.** Relating to Talladega County, to require the installation and maintenance of an improved system of recording, archiving, and retrieving documents affecting the title to property and other documents recorded in the office of the judge of probate; to provide for the collection and disposition of a special recording fee; and to provide that the system shall constitute official and permanent records in Talladega County.

Also:

**HB 546.** Relating to St. Clair County; providing for additional costs and charges in all district and juvenile court cases; providing for the establishment of a Juvenile Court Services Fund; providing for collection of expenses incurred by the county in detaining a juvenile; and providing for the distribution of the funds.

Also:

**HB 739.** To establish procedures for Class 4 municipalities organized under Chapter 44B of Title 11 of the Code of Alabama 1975, to delete nonurban territory from its police jurisdiction or planning jurisdiction; to provide for public hearings to consider the issue; to provide for public notice and advertisement of the public hearings; to require notice to the county commission and authorizing the county commission to approve or disapprove of the same; to provide for the adoption of an ordinance deleting certain territory from the respective police jurisdiction or planning jurisdiction of the municipality subject to the limitation that the ordinance shall not take effect for a period of 90 days from the date of its adoption and that no territory may be deleted which has been designated as an "urban area" according to the preceding Federal Decennial Census; to provide that in the areas deleted from the police jurisdiction, the municipality shall cease collecting license taxes and sales taxes and use taxes pursuant to Sections 11-51-91 and 11-51-206 of the Code of Alabama 1975, and that any licenses collected shall be prorated; to provide that the municipality shall also terminate services within the territory deleted from the municipality and that the termination on the levy and collection of license taxes, sales taxes and use taxes, or services shall not subject the municipality to liability or damages arising out of or associated with the decision nor shall the action or statutes be construed to obligate or compel the municipality to continue to provide the services; to provide that the deletion of territory will not affect certain mutual aid agreements, emergency rescue agreements, or joint law enforcement activities; to provide that certain other sources of revenue within the territory are preserved to the extent that they have been implemented by other legislative enactments or amendments thereto; to provide that any municipality deleting territory from its planning jurisdiction shall not, after the effective date of the ordinance, exercise planning commission control in any area located in the territory; to provide that municipalities which elect to delete certain territory from its respective police jurisdiction or planning jurisdiction are not limited to or restricted in providing water, sewer, or solid waste services within the territory; to provide that nothing in the act shall prohibit the municipality from subsequently annexing any territory deleted, but that any subsequent annexations shall not re-extend the municipality's respective police jurisdiction or planning jurisdiction over territories which have been deleted therefrom pursuant to this act; and to provide that the municipality shall delete code enforcement services from the territories.

Also:

**HB 712.** Relating to Conecuh County; to amend Section 2 of Act No. 88-281, p. 436, 1988 Regular Session, to authorize the county commission to pay additional amounts from the county general fund to Willie Lee Powell so long as the funds are available.

Also:

**HB 747.** Relating to the City of Jacksonville in Calhoun County; to provide the term of the members of the city board of education would run from October of even years; and for this purpose extending the term of members.

Also:

**HB 917.** To amend Section 40-23-1, as amended by Act 96-887, and Section 40-23-60, Code of Alabama 1975, relating to the sales and use taxes, to clarify the definition of certain property that is excluded from the sales tax and the use tax as sales at wholesale, to make the definitions of such property the same in the use tax as in the sales tax, and to provide for a retroactive effect.

Also:

**HB 748.** Relating to Jackson County; amending Section 4 of Act No. 89-265, H. 523 of the 1989 Regular Session (Acts 1989, p. 389), to remove the prohibition against the directors and chair serving more than two terms.

Also:

**HB 809.** Relating to Lee County; authorizing the sheriff to operate an inmate commissary for prisoners in county custody; providing for the deposit, distribution, and auditing of monies earned; and confirming and ratifying certain prior actions.

Also:

**HB 827.** Relating to the Town of Courtland in Lawrence County; authorizing the Town of Courtland as a municipal corporation to establish, purchase, construct, maintain, and operate a television cable system and to furnish television cable service to the residents of the town and to residents of the municipal corporations and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by the municipal

corporation in connection with the systems; providing for the payment of the bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

**HB 860.** To abolish the Office of Coroner in Escambia County and to establish the office of county medical examiner and assistant county medical examiners; to provide for the powers and duties of the county medical examiner, and the state medical examiners relative to deaths occurring in Escambia County; to provide for funding an an effective date; and to repeal conflicting laws.

Also:

**HB 964.** To provide for the per diem compensation of members of the Tuscaloosa County Board of Registrars and to specifically repeal Act 557, H. 1300, 1977 Regular Session (Acts 1977, p. 747).

Also:

**HB 1102.** Relating to Tuscaloosa County; providing for an advisory referendum on the status of the unincorporated community of Holt.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 829.** Providing for a board of education for the City of Besse-

mer; providing that the members of the board shall be elected from defined districts; providing for the selection of a chair; providing for the terms of office, qualifications, and compensation of the members; prescribing procedures for electing the members and for filling vacancies on the board; and providing certain transitional provisions.

Also:

**HB 863.** Relating to Conecuh County, providing for the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund known as The Sheriff's Fund, providing for the use of such fund and repealing Act 87-482, H. 997, 1987 Regular Session.

Also:

**HB 898.** Relating to Clarke County; to further provide for the operation of the county commission; to provide further for the compensation of the commission; to provide for a centralized road system for the operation of the county roads and bridges; to provide for the employment of a county engineer; to provide for the continual supervision of the roads and bridges by the commission; to repeal conflicting laws; and to provide for a referendum.

Also:

**HB 901.** Relating to Shelby County; to amend Section 11 of Act 596, 1975 Regular Session (Acts 1975, p. 1346), as amended and reenacted by Act 92-394, 1992 Regular Session (Acts 1992, p. 810); to remove certain law enforcement powers granted to employees of the Shelby County Work Release Center; to authorize the commission to transport eligible persons to job sites within the county; and to exempt the commission from liability for damage or injury caused to the eligible person.

Also:

**HB 903.** Relating to Shelby County; to amend Act 93-529, H. 728 of the 1993 Regular Session (Acts 1993, p. 869), to provide for additional costs and charges in all circuit and district court cases and to further provide for distribution of the funds.

Also:

**HB 907.** Relating to Shelby County; providing for additional line item expenses for the district attorney's office.

Also:

**HB 908.** Relating to Shelby County; to provide that the Shelby County Commission shall have authority to remove or demolish buildings and structures, or parts thereof, when the same are found by the county commission to be unsafe to the extent of being a public nuisance; to provide for a hearing by the county commission if requested; to authorize that the cost of the demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that the assessment shall constitute a lien on the property; to provide methods of collecting assessments; and to authorize the tax collector to collect assessments.

Also:

**HB 909.** Relating to Shelby County; to give the authority to the county commission to allow Central Alabama Public Transportation and any agencies which receive state or county funding to receive and display county vehicle license tags.

Also:

**HB 910.** Relating to Shelby County; to amend Section 2 of Act 96-41, H. 6, 1996 First Special Session (Acts 1996, p. 54), to provide further for the disbursement of certain additional court costs for the purpose of funding the county law library.

Also:

**HB 934.** Relating to Sumter County; providing for an additional expense allowance and salary for the tax collector.

Also:

**HB 935.** Relating to Greene County; providing for the compensation of the members of the Greene County Board of Education.

Also:

**HB 312.** Relating to elections; amending Sections 17-22A-2, 17-22A-7, 17-22A-22, 36-25-1, 36-25-6, 36-25-14, and 36-25-15, Code of Alabama 1975, to further regulate the financing of political campaigns and to provide further for penalties for violations.

Also:

**HB 936.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Boligee in Greene County.

Also:

**HB 941.** To alter and rearrange the boundary lines and corporate limits of the City of Gadsden and the City of Glencoe in Etowah County to remove certain property from the corporate limits of the City of Gadsden and add the property to the City of Glencoe.

Also:

**HB 948.** Relating to Lamar County; amending Section 2 of Act 80-519, H. 1052 of the 1980 Regular Session (Acts 1980, p. 799), further providing for the disposal of property under the control of the Lamar County Commission.

Also:

**HB 960.** Relating to Randolph County, authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; and providing for the disposition of proceeds.

Also:

**HB 965.** Relating to Cherokee County; providing further for the compensation and mileage of returning officers.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 166.** Relating to Calhoun County; proposing an amendment



to the Constitution of Alabama of 1901, to create a committee composed of two persons appointed by the Democratic Party, two persons appointed by the Republican Party, and the judge of probate to design and approve primary election ballots.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 874.** Relating to Pickens County; proposing an amendment to the Constitution of Alabama of 1901; authorizing the Pickens County Commission to levy a three mill ad valorem tax for fire protection.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 479.** Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected public officials in Coffee

County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 1038.** To propose an amendment to the Constitution of Alabama of 1901 to provide that elected public officials may not assume a supernumerary office after the effective date of this amendment and to provide that certain elected public officials in Mobile County may participate in the Employee's Retirement System.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 6.** Providing for a member of the Employees' Retirement

System to purchase credit in the system for certain prior service rendered to the United States Social Security Administration by a certain date.

GREG PAPPAS,  
Clerk.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 67.** Relating to Mobile County; to provide pilot programs for site-based management for the Mobile County School System.

Also:

**SB 80.** Relating to Mobile County; requiring the board of school commissioners to adopt a dress code for students.

Also:

**SB 652.** To provide for a retirement system for police and firefighters of the City of Mobile, Alabama; providing for membership and service requirements, eligibility, amount, and payment of benefits; providing for employer and employee contributions to the system; providing for administration and management of the system under a board of trustees; providing for certain limitations on benefits to certain employees; providing for appeals from decisions made by the board; and repealing Act 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), Act 400, H. 564, 1965 Regular Session (Acts 1965, p. 576), Act 359, H. 366, 1966 Special Session (Acts 1966, p. 499), Act 180, H. 167, 1967 Regular Session (Acts 1967, p. 231), Act 1484, S. 1030, 1971 Regular Session (Acts 1971, p. 2540), Act 887, S. 740, 1978 Regular Session (Acts 1978, p. 1315), Act 80-339, H. 875, 1980 Regular Session (Acts 1980, p. 458), Act 85-231, H. 211, 1985 Regular Session (Acts 1985, p. 130), Act 85-312, H. 176, 1985 Regular Session (Acts 1985, p. 211), Act 85-938, H. 129, 1985 Special Session (Acts 1985, p. 241), Act 86-475, H. 478, 1986 Regular Session (Acts 1986, p. 900), Act 90-198, S. 566, 1990 Regular Session (Acts 1990, p. 229), Act 91-701, H. 980, 1991 Regular Session (Acts 1991, p. 1365), and Act 95-571, H. 598, 1995 Regular Session (Acts 1995, p. 1194).

Also:

**SB 674.** Relating to Tuscaloosa County; to amend Section 2 of Act 94-568, H. 897, 1994 Regular Session (Acts 1994, p. 1040), relating to the Office of the Sheriff in Tuscaloosa County; to provide further for the compensation of the chief jailer.

Also:

**SB 699.** Relating to Baldwin County; amending Sections 2 and 3 of Act No. 85-684, H. 1056, (Acts 1985, p. 1097), relating to court charges and the Baldwin County Law Library and Judicial Administration Fund, to make the \$1.50 court costs applicable in civil and quasi civil actions, equity, criminal, quasi criminal, proceedings on forfeited bail or forfeited bond in the circuit court of Baldwin County under certain conditions applicable in the Juvenile Court and in civil actions filed in the District Court of Baldwin County; and providing that this act shall be construed together with other laws relating to court costs in Baldwin County, and ratifying collections retroactively to January 1, 1977.

Also:

**SB 707.** Relating to Tuscaloosa County, Alabama: to amend and reenact Act 86-656, 1986 First Special Session (Acts 1986, p. 39), as amended, establishing a fire district, pursuant to Amendment No. 358 to the Constitution of Alabama of 1901, for the purpose of preventing fires or for fire protection and certain other public service in Tuscaloosa County; providing for the manner such district may be created for any area; providing for the petition for any proposed district and the election thereon; providing that the expense of the conducting such election shall be paid by the county except that if the district is created the district shall reimburse the county; providing that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; providing that no district shall be created unless the creation thereof has been approved by the majority of votes cast at an election; providing that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; providing for the enlargement and contraction of the district; providing for the management and operation of each district; providing for the election of a fire district board, except the initial board made up of the existing board of the directors of each volunteer fire department, each being a public corporation; providing for the terms of office of the members of the board; providing for the officers compensation, expense allowance and duties of the members of the board; defining the rights, power, and authority of the district; authorizing any such district to pledge all or any parts of its revenues, or to mortgage or otherwise encumber all or any part of its property for the pur-

pose of securing the payment of the principal of and interest on any of its obligations; authorizing any such district to levy and collect service charges or fees subject to certain limitations; providing that such services charges or fees shall not be levied unless the same is first approved by a majority of the votes cast by the qualified electors residing within the district; providing for the dissolution of any such district; providing that the provisions of this act are severable; repealing all laws, or parts of laws, in the conflict with the act; and providing for the effective date of the act.

Also:

**SB 714.** Relating to the Elected Assistant District Attorney's Office, Tenth Judicial Circuit, Jefferson County, Bessemer Division; to provide for the appointment, duties, and compensation of deputy district attorneys; and to repeal the following acts: No. 245, H. 845, 1975 Regular Session (Acts 1975, p. 773); Act No. 87-721, H. 896, 1987 Regular Session (Acts 1987, p. 1411); Act No. 90-202, H. 449, 1990 Regular Session (Acts 1990, p. 237); and Act No. 93-648, S. 382, 1993 Regular Session (Acts 1993, p. 1119); all relating to the office and compensation of the deputy district attorneys in the Tenth Judicial Circuit, Bessemer Division.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 449.** To make a supplemental appropriation from the General Fund in the State Treasury to the Military Department, in the amount of \$560,000 for the fiscal year ending September 30, 1997.

Also:

**SB 465.** To amend Section 11-89-1 of the Code of Alabama 1975, to permit cooperative corporations organized under Article 9 (commencing with Section 10-4-190) of Chapter 4 of Title 10 of the Code of Alabama 1975, to form as an independent corporate instrumentality of the state to render water or sewer services.

Also:

**SB 579.** To amend Section 33-4-48 of the Code of Alabama 1975, relating to compensation of pilots of ships and vessels; to increase certain pilotage drafts and compensation paid to pilots.

Also:

**SB 706.** To alter and rearrange the boundaries of the City of Rainsville, DeKalb County, Alabama, so as to annex and include within the corporate limits thereof the territory hereinafter described.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 1096.** Relating to Mobile County; to amend Section V of Act 470, H. 952, 1939 Regular Session (Local Acts 1939, p. 298), as further amended by Act 167, H. 231, 1955 Regular Session (Local Acts 1955, p. 431); Act 684, H. 594, 1976 Regular Session (Acts 1976, p. 939); and Act 86-479, H. 629, 1986 Regular Session (Acts 1986, p. 910), relating to the establishment of a countywide civil service system; to add the Treasurer of Mobile County to the Supervisory Committee of the Mobile County Per-

sonnel Board; and require confirmation by a majority vote of the Mobile County legislative delegation.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

**HB 119.** To make appropriations for the support, maintenance and development of public education in Alabama, for debt service, and capital outlay for the fiscal year ending September 30, 1998.

said Conference Report being in words and figures as follows:

**REPORT OF CONFERENCE COMMITTEE ON HB 119**

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning HB 119, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

BILL FULLER,  
JOHNNY CURRY,  
YVONNE KENNEDY,

Conferees on the part of the House.

HANK SANDERS,  
JOHN AMARI,  
CHIP BAILEY,

Conferees on the part of the Senate.

**CONFERENCE COMMITTEE SUBSTITUTE FOR HB 119**

A BILL  
TO BE ENTITLED  
AN ACT

To make appropriations for the support, maintenance and development of public education in Alabama, for debt service, and capital outlay

for the fiscal year ending September 30, 1998.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

**SECTION 1.** There is hereby appropriated for the support of public education in Alabama for the fiscal year ending September 30, 1998, for debt service, and for capital outlay to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 and 4 of this Act. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs is shown so as to include estimated sources of funds other than those listed in subsection (a) of Section 2 of this Act. For the purpose of this Act, "ETF" shall mean the Education Trust Fund and "Federal and Local Funds" shall mean all gifts, grants, contributions, or entitlements, including grants by the Congress of the United States, municipalities or counties.

**SECTION 2.** (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Education Trust Fund, Alabama Peace Officers' Standards and Training Fund, and Public School Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1998, and the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Code of Alabama 1975, Sections 41-4-80 et seq.), the provisions of The Budget Management Act of 1976 (Code of Alabama 1975, Sections 41-19-1 et seq.), and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Earmarked Funds" and "Appropriation Total" are as set forth for the purpose of establishing amounts estimated to be available by programmatic area from sources other than those listed in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for an efficient use of funds available and are hereby appropriated by the Legislature. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Fund Sources Included  
In Appropriation Total

ETF	Earmarked Funds	Appropriation Total
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**SECTION 3.**  
**STATE AGENCIES:**



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		Fund Sources Included <u>In Appropriation Total</u>		
		ETF	Earmarked Funds	Appropriation Total
<b>1.</b>	<b>AMERICAN LEGION AND AUXILIARY SCHOLAR- SHIPS:</b>			
	(a) Support of Other Educa- tional Activities Program ..			91,634
	SOURCE OF FUNDS:			
	(1) ETF .....	91,634		
	Total American Legion and Auxiliary Scholarships .....	91,634		91,634
	To be expended under the provisions of Code of Ala- bama 1975, Sections 16-31- 1 through 16-31-4.			
<b>2.</b>	<b>ARCHIVES AND HISTORY, DEPARTMENT OF:</b>			
	(a) Historical Education Man- agement Program .....			485,000
	SOURCE OF FUNDS:			
	(1) ETF .....	485,000		
	Total Department of Ar- chives and History .....	485,000		485,000
<b>3.</b>	<b>ARTS, STATE COUNCIL ON THE:</b>			
	(a) Fine Arts Program .....			3,883,423
	(b) Community Arts and Cul- tural Programs .....			610,000
	SOURCE OF FUNDS:			
	(1) ETF .....	3,383,423		
	(2) ETF Transfer-Com- munity Arts and Cul- tural Program .....	610,000		
	(3) Federal and Local Funds .....		500,000	
	Total State Council on the Arts .....	3,993,423	500,000	4,493,423
<b>4.</b>	<b>BUILDING COMMISSION, STATE:</b>			
	(a) Special Services Program ..			340,206
	SOURCE OF FUNDS:			
	(1) ETF-Transfer .....	340,206		

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		Fund Sources Included In Appropriation Total	
	ETF	Earmarked Funds	Appropriation Total
Total State Building Commission .....	340,206		340,206
In addition to the above appropriation, there is conditionally appropriated the sum of \$200,000 from the ETF to be conditioned upon the availability of funds in the ETF, the recommendation of the Director of Finance and the approval of the Governor.			
<b>5. PENNY TRUST FUND-BUSKEY MATCHING FUNDS:</b>			
(a) Special Services Program, Estimated .....			40,000
SOURCE OF FUNDS:			
(1) ETF-Transfer .....	40,000		
Total Penny Trust Fund-Buskey Matching Funds ....	40,000		40,000
In accordance with Sections 41-15A-10 through 41-15A-12, Code of Alabama 1975. It is the intent of the Legislature that any of the above appropriation that is not needed to match contributions shall be deposited into the Penny Trust Fund.			
<b>6. CHILD ABUSE AND NEGLECT PREVENTION BOARD:</b>			
(a) Social Services Program ....			1,991,230
In accordance with Sections 26-16-1 et seq., Code of Alabama 1975.			
SOURCE OF FUNDS:			
(1) ETF-Transfer .....	1,991,230		
Total Child Abuse and Neglect Prevention Board .....	1,991,230		1,991,230
In addition to the above appro-			

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
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priation there is conditionally appropriated \$500,000 to the Child Abuse and Neglect Prevention Board to be conditioned on the availability of funds in the ETF, the recommendation of the Director of Finance and the approval of the Governor.			

**7. DEBT SERVICE:**

(a) Debt Service Program .....	13,232,222
For payments on interest and principal of General Obligation Refunding Bonds 1992, Series A and B .....	12,208,418
In the event it is determined that funds should be transferred from the ETF to the State General Fund for reimbursement of sales taxes on automobiles erroneously deposited into the ETF, the amount of ETF funds required to be transferred, up to the amount of the above appropriation for debt service on General Obligation Refunding Bonds 1992, Series A and B, shall be expended for such debt service.	
For payments on endowments as follows:	
For interest and principal on University of Montevallo (Alabama College) Endowment .....	409,060
For interest on Auburn University Endowment .....	20,280
For interest on University of Alabama Endowment .....	61,000
For interest on Grove Hill Endowment .....	600
For interest on Public School	

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Fund Sources Included In Appropriation Total		
	ETF	Appropriation Total
Fund Endowment:		
Interest on 16th Section Lands, Estimated .. 410,000		
Interest on School Indemnity Lands, Estimated .... 90,000		
Interest on Valueless 16th Section Lands ..... 5,825		
Interest on Surplus Rev- enue ..... 26,764		
Interest on James Wallace Fund ..... 275		
Total Interest on Public School Fund Endow- ment ..... 532,864		
SOURCE OF FUNDS:		
(1) ETF .....	12,699,358	
(2) ETF-Transfer .....	532,864	
Total Debt Service .....	13,232,222	13,232,222
<b>8. DENTAL SCHOLARSHIP AWARDS, BOARD OF:</b>		
(a) Support of Other Educa- tional Activities Program ..		121,854
SOURCE OF FUNDS:		
(1) ETF .....	121,854	
Total Board of Dental Scholarship Awards .....	121,854	121,854
To be expended under the provisions of Code of Ala- bama 1975, Sections 16-47- 76 through 16-47-81.		
<b>9. DRUG EDUCATION AND AWARENESS OVERSIGHT COUNCIL:</b>		
(a) Support of Other Educa- tional Activities Program ..		793,253
SOURCE OF FUNDS:		
(1) ETF .....	793,253	
Total Drug Education and Awareness Oversight Council .....	793,253	793,253
To be expended under the provisions of Code of Ala- bama 1975, Sections 41-25-		

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
<hr/>			
1 through 41-25-5.			
<b>10. EDUCATION, STATE BOARD OF - K-12 FOUNDATION PROGRAM:</b>			
(a) Foundation Program .....			2,502,709,214
(b) Transportation Program .....			154,665,871
Of the above appropriation, the amount necessary to fund a transportation program for alternative and gifted stu- dents in any school system in a Class I municipality shall be calculated in the dis- tribution formula by the State Department of Educa- tion for the transportation program.			
(c) Board of Adjustment .....			450,000
(d) At-Risk Student Program ..			25,612,500
The above appropriation shall be used to develop pro- grams that address the needs of at-risk students as defined by the State Department of Education. These programs shall provide additional ser- vices that increase the amount and quality of in- structional time with ex- tended learning time oppor- tunities including but not limited to before and after school programs, summer programs, tutoring pro- grams, weekend programs, and alternative schools. A portion of the appropriation may also be used for train- ing parents and teachers to work with at-risk students and to provide services that meet identified critical needs of at-risk students.			
(e) Endowment Interest Pro- gram - Public School Fund .....			532,864

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Fund Sources Included In Appropriation Total			
	ETF	Earmarked Funds	Appropriation Total
(f) Hold Harmless Program - Public School Fund .....			11,197,009
(g) Capital Outlay Program - Public School Fund .....			66,802,991
SOURCE OF FUNDS:			
(1) ETF .....	2,470,569,615		
(2) Public School Fund .....		78,532,864	
(3) Local Funds .....		212,867,970	
Total State Board of Educa- tion - K-12 Foundation Pro- gram .....	2,470,569,615	291,400,834	2,761,970,449

The above appropriation shall be distributed by the State Board of Education in accordance with the provisions of the Code of Alabama 1975, Sections 16-13-230 through 16-13-239, and all other laws and regulations of the State Board of Education relating to the expenditure of such funds. These funds shall be used to provide a minimum school term and for equitable educational opportunities in the public schools of the state. Foundation Program calculations for FY 1997-98 are based on the funding divisors set forth below. Such divisors shall not serve to prescribe pupil-teacher ratios, but it is the intent of the Legislature that class sizes for the 1997-98 academic year be reduced from the class sizes actually experienced in the 1996-97 academic year.

Grades K-3 : 14  
Grades 4-6 : 22  
Grades 7-8 : 21  
Grades 9-12: 18

In allocating the funds in subsection (a) the State

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total		
Board of Education shall al- lot funds based on the rates established as follows: The Foundation Program shall use the following salary ma- trix to determine the cost of instructional salaries:					
<u>Years</u>	<u>BS</u>	<u>MS</u>	<u>6Y</u>	<u>DQ</u>	<u>ND</u>
exp < 3	25,882	29,764	32,093	34,423	25,882
3 ≤ exp < 6	28,470	32,740	35,303	37,865	28,470
6 ≤ exp < 9	28,858	33,187	35,784	38,381	28,858
9 ≤ exp <12	29,246	33,633	36,265	38,898	29,246
12 ≤ exp <15	29,634	34,080	36,747	39,414	29,634
15 ≤ exp <18	30,023	34,526	37,228	39,930	30,023
18 ≤ exp <21	30,411	34,973	37,710	40,447	30,411
21 ≤ exp	30,799	35,419	38,191	40,963	30,799

For "Fringe Benefits" the rate per day for two personal days and five sick days (for units earned in the Foundation Program) shall be \$35. The Teachers' Retirement System rate shall be 9.66% of salaries and the Public Education Employees' Health Insurance Program rate shall be \$200 per month for each full-time employee. In addition to the above appropriation from the Foundation Program for the Public Education Employees' Health Insurance Board, there is hereby appropriated to the Foundation Program for the Public Education Employees' Health Insurance Program from the ETF such additional amount as may be necessary to fully fund health claims plus maintain a 12% reserve in the Public Education Employees' Health Insurance Program Fund based on claims paid in the fiscal year beginning October 1, 1997. At the end of each quarter of

Fund Sources Included  
In Appropriation Total

ETF	Earmarked Funds	Appropriation Total
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the fiscal year beginning October 1, 1997, the Public Education Employees' Health Insurance Program Board shall certify to the State Finance Director and the Legislative Fiscal Officer the amount of paid claims for that quarter and the Board's best estimate of the amount necessary to pay claims for the remainder of the fiscal year and the amount necessary to maintain a 12% reserve based on such estimate for the fiscal year ending September 30, 1998. By September 15, 1998, the Public Education Employees' Health Insurance Program Board shall certify to the State Finance Director and the Legislative Fiscal Officer the amount of paid claims through August 31, 1998. The State Finance Director shall direct that the additional amount necessary to insure that the Public Education Employees' Health Insurance Program actual claims paid through August 31, 1998 and a reasonable estimate of claims to be paid in September 1998 based on actual paid claims through August are fully paid plus the additional amount necessary for the maintenance of a 12% reserve based on paid claims for fiscal year 1998 shall be transferred from the ETF to the Public Education Employees' Health Insurance Program Fund. Such transfer must be made prior to September 30, 1998. For  
"Classroom Instructional



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Fund Sources Included  
In Appropriation Total

ETF	Earmarked Funds	Appropriation Total
<p>Support” the uniform amounts used in determining the Foundation Program allowance for classroom instructional support shall be: (1) classroom materials and supplies at \$500 per unit earned in the Foundation Program; (2) textbooks at \$52.50 per pupil in average daily membership during the first forty scholastic days of the preceding school year; (3) technology at \$75 per unit earned in the Foundation Program; (4) professional development at \$60 per unit earned in the Foundation Program; It is the intent of the Legislature that the existing eleven Teacher In-Service Centers continue to be funded from Professional Development monies provided by the K-12 Foundation Program funded above for the 1997-1998 fiscal year. Professional development funds shall be allocated by the State Board of Education through the State Superintendent to each In-Service Center in each geographical area of the state based upon the total allocation (\$60 per state funded certificated unit) to the school systems in each In-Service Center's present geographic region. Funds shall be transferred to each Center by the Department of Education within 30 days of receipt of said funds. It is the intent of the Legislature that the Regional In-Service Center funding will be through contracts for professional</p>		

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
staff development which are derived from local school districts based upon the Center's ability to service the Professional Development needs of the teachers in each school district; (5) library enhancement at \$135 per unit earned in the Foundation Program. The library enhancement appropriation shall be for K-12 Public School Library/Media Centers and is an absolute appropriation. Not less than 33-1/3% of the above appropriation is to be expended for books. Other expenditures may include book binding, repair, CD ROMs, computer software, computer equipment, cataloging, audio-visual materials, newspapers, magazines, recordings, and video tapes. Notwithstanding the foregoing, the budgeting and expenditure of funds in subsection (a) at the local level shall be determined and made by the local board of education in accordance with rules and regulations of the State Board of Education and all laws governing such school budgets and expenditures.			

**11. EDUCATION, STATE BOARD  
OF - POSTSECONDARY  
PRISON EDUCATION:**

(a) Operations and Maintenance .....	8,404,029	2,981,555	11,385,584
(b) Restricted Funds .....		2,300,250	2,300,250
SOURCE OF FUNDS:			
(1) ETF .....	8,404,029		
(2) Federal and Other Funds .....	5,281,805		
Total State Board of Edu-			

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
cation - Postsecondary Prison Education .....	8,404,029	5,281,805	13,685,834

The Operations and Maintenance appropriation above to the State Board of Education for Postsecondary Prison Education is to be distributed to colleges listed herein on a needs basis as determined by the State Board of Education pursuant to a recommendation by the Chancellor. The allocations required herein shall be distributed among the following colleges: (1) John C. Calhoun State Community College; (2) Jefferson Davis State Community College; (3) Gadsden State Community College; (4) J.F. Ingram State Technical College; (5) Theodore A. Lawson State Community College; and (6) Chauncey Sparks State Technical College.

**12. EDUCATION, STATE BOARD OF - POSTSECONDARY SKILLS TRAINING AND EDUCATION:**

(a) Operations and Maintenance .....			23,215,893
SOURCE OF FUNDS:			
(1) Federal and Local Funds .....		23,215,893	
Total State Board of Education - Postsecondary Skills Training and Education .....		23,215,893	23,215,893

**13. EDUCATION, STATE BOARD OF - TWO-YEAR COLLEGE SYSTEM:**

(a) Operations and Maintenance .....	187,446,154	96,403,607	283,849,761
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	Fund Sources Included In Appropriation Total		
	ETF	Earmarked Funds	Appropriation Total
Of the above appropriation for Operations and Maintenance, \$300,000 shall be expended for libraries.			
(b) Program Enhancements .....	3,043,324		3,043,324
(c) Coosa Valley Nursing Program at Central Alabama Community College .....	100,693		100,693
(d) Small Business Assistance-Public-Private Partnership Program .....	150,000		150,000
(e) Auxiliary Enterprises .....		20,005,510	20,005,510
(f) Restricted Funds .....		74,374,750	74,374,750
SOURCE OF FUNDS:			
(1) ETF .....	190,740,171		
(2) Federal and Other Funds .....		190,783,867	
Total State Board of Education - Two-Year College System .....	190,740,171	190,783,867	381,524,038

(1) Each community, junior and technical college shall receive the same proportionate share from the appropriation for Operations and Maintenance as was received during the 1996-97 fiscal year for Operations and Maintenance and the 4% pay raise. The allocations required herein shall be distributed among the following colleges: (1) Alabama Aviation and Technical College; (2) Alabama Southern Community College; (3) Harry M. Ayers State Technical College; (4) Bessemer State Technical College; (5) Beville State Community College; (6) S.D. Bishop State Community College; (7) John C. Calhoun State Community College; (8) Central Alabama Community College; (9) Chattahoochee Valley State Community College; (10) J.F. Drake State Technical College; (11) Enterprise State Junior College; (12) Faulkner State Community College; (13) Gadsden State Community College; (14) J.F. Ingram State Technical College; (15) Jefferson Davis State Community College; (16) Jefferson State Community College; (17) Theodore A. Lawson State Community College; (18) Lurleen B. Wallace State Junior College; (19) Douglas MacArthur State Technical College; (20) Northeast Alabama State Community College; (21) Northwest-Shoals Community College; (22) John M. Patterson State Technical College; (23) Ed E. Reid State Technical College; (24) Shelton State Community College; (25) Snead State Community College; (26) Chauncey Sparks State Technical College; (27) Southern Union State Community College; (28) Council Trenholm State Technical College; (29) George C. Wallace State

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Fund Sources Included  
In Appropriation Total

ETF	Earmarked Funds	Appropriation Total
Community College (Dothan); (30) George C. Wallace State Community College (Hanceville); (31) George C. Wallace State Community College (Selma).		

(2) The appropriation in (d) above for the Small Business Assistance-Public-Private Partnership Program shall be allocated to George C. Wallace State Community College (Selma).

(3) There is hereby appropriated \$100,000 to the Nursing Program at Ayers State Technical College and \$200,000 for Capital outlay at Snead Community College from the ETF to be conditioned on the availability of funds in the ETF and the approval of the Governor.

**14. EDUCATION, STATE DEPARTMENT OF:**

(a) Administrative Services Program .....	59,354,713
The proposed spending plan for the ETF monies included in the above program is as follows:	
Operations and Maintenance of Department ....	20,314,363
Alabama Young Farmers Education Program .....	45,252
To be administered by the Houston County Board of Education.	
Alabama Teachers of the Year Program .....	25,000
Project AIM .....	10,000
Civic Education Project .....	150,000
Dropout Prevention Pilot Project .....	125,000
The pilot project for dropout prevention shall be expended to fund the implementation of strategies deemed effective in reducing the incidence of dropouts and it shall fund programs for students whose education was interrupted for disciplin-	

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Fund Sources Included In Appropriation Total			
	ETF	Earmarked Funds	Appropriation Total
any reasons. It shall be utilized to allow those students to complete their high school diplomas, GED preparation, or vocational education (for age-qualified students). Booker T. Washington Magnet Arts High School-Capital Outlay and Equipment ..... 400,000			
Alabama Governor's School for state summer school program at Booker T. Washington Magnet Arts High School ..... 150,000			
Alabama Writing Project ..... 100,000			
PALS ..... 25,000			
Inspector Detector Program ..... 25,000			
Constitution Village ..... 300,000			
In addition to the above appropriation, there is hereby appropriated \$500,000 to Constitution Village from the ETF to be conditioned upon the availability of funds in the ETF and the approval of the Governor.			
Citizenship and Character and Leadership Education ..... 200,000			
SOURCE OF FUNDS:			
(1) ETF .....	21,869,615		
(2) Federal and Local Funds .....		37,485,098	
Total Administrative Services Program .....	21,869,615	37,485,098	59,354,713
(b) At-Risk Student Program .....			2,387,500
SOURCE OF FUNDS:			
(1) ETF .....	2,387,500		
Total At-Risk Student Program .....	2,387,500		2,387,500
The above appropriation is to be used for providing as-			

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Fund Sources Included In Appropriation Total			
	ETF	Earmarked Funds	Appropriation Total
sistance in serving at-risk students in the local school system.			
(c) Adult Basic Education Program .....			12,143,502
SOURCE OF FUNDS:			
(1) ETF .....	4,931,315		
(2) Federal and Local Funds .....		7,212,187	
Total Adult Basic Education Program .....	4,931,315	7,212,187	12,143,502
Of the above appropriation, \$80,000 shall be allocated to the Education Alternative Program. It is the intent of the Legislature that the State Superintendent of Education shall utilize the above appropriation to provide basic educational services to the maximum number of welfare recipients that is practical. In addition to the above appropriation to Adult Basic Education, there is hereby appropriated \$750,000 from the ETF to be conditioned upon the availability of funds in the ETF and the approval of the Governor.			
(d) Community Education Program .....			1,176,296
SOURCE OF FUNDS:			
(1) ETF .....	1,051,296		
(2) Federal and Local Funds .....		125,000	
Total Community Education Program .....	1,051,296	125,000	1,176,296
Of the above appropriation to Community Education, \$100,000, in addition to the amount that is normally allocated, shall be allocated to the Birmingham City Community Education Program.			
(e) Financial Assistance Program .....			363,988,917

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		Fund Sources Included In Apropiation Total	
	ETF	Earmarked Funds	Appropriation Total
The proposed spending plan for the ETF monies included in the above program is as follows:			
Pre-School Pro-			
gram .....	2,512,096		
State Occupational Informa-			
tion Coordinating Com-			
mittee .....	150,000		
National Geographic Grant-			
Matching Funds .....	50,000		
SOURCE OF FUNDS:			
(1) ETF .....	2,712,096		
(2) Federal and Local			
Funds .....		361,276,821	
Total Financial Assistance			
Program .....	2,712,096	361,276,821	363,988,917
(f) Alabama Science in Motion			
Program .....			2,475,000
SOURCE OF FUNDS:			
(1) ETF-Transfer .....	2,475,000		
Total Alabama Science in			
Motion Program .....	2,475,000		2,475,000
It is the Legislature's intent to reappropriate all previously appropriated funds that remain unexpended in the Educational Technology Fund for this program and that all appropriations to this program be expended in accordance with Title 16, Chapters 61B and 61C, Code of Alabama 1975.			
(g) Teaching Children with			
Disabilities Program .....			100,000
SOURCE OF FUNDS:			
(1) ETF .....	100,000		
Total Teaching Children			
with Disabilities Pro-			
gram .....	100,000		100,000
(h) Alabama Center for Law			
and Civic Education .....			56,000
SOURCE OF FUNDS:			
(1) ETF .....	56,000		
Total Alabama Center for			
Law and Civic Education ..	56,000		56,000



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Fund Sources Included In Appropriation Total		
	ETF	Earmarked Funds      Appropriation Total
(i) Support of Other Educational Activities Program ..		12,750
The proposed spending plan for the ETF monies included in the above program is as follows:		
Education of Dependents of Blind Parents .....	12,750	
SOURCE OF FUNDS:		
(1) ETF .....	12,750	
Total Support of Other Educational Activities Program .....	12,750	12,750
For reimbursement of every state institution of higher learning, college, university, community college, technical college, or junior college in which benefits are given to dependents of blind parents under the provisions of Code of Alabama 1975, Sections 16-33-1 through 16-33-12.		
(j) Multi-System Evaluation Center Program .....		230,000
Of the above appropriation to the Multi-System Evaluation Center, it is the intent of the Legislature that \$90,000 shall be utilized to continue a multi-system evaluation center in West Alabama.		
SOURCE OF FUNDS:		
(1) ETF .....	230,000	
Total Multi-System Evaluation Center Program .....	230,000	230,000
(k) National Board for Professional Teaching Standards...		50,000
Alabama teachers desiring to take the examination shall apply for funding. A panel consisting of the State Superintendent of Education, the Executive Secretary of the Alabama Education As-		

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Fund Sources Included In Appropriation Total			
	ETF	Earmarked Funds	Appropriation Total
sociation, and the Deans of the Colleges of Education of Auburn University, Alabama A&M University, Alabama State University, and the University of Alabama (or their designees) shall review and screen the applicants and choose the recipients. The State Superintendent of Education and the Executive Secretary of the Alabama Education Association shall be co-chairs of the panel and shall call the first meeting. The panel shall require recipients to commit to teach in Alabama public K-12 schools for an additional period of five years unless an exception is granted by the panel for good cause.			
SOURCE OF FUNDS:			
(1) ETF .....	50,000		
Total National Board for Professional Teaching Standards .....	50,000		50,000
(1) Disability Determination for Social Security Program .....			34,078,607
SOURCE OF FUNDS:			
(1) Federal and Local Funds.....		34,078,607	
Total Disability Determination for Social Security Program .....		34,078,607	34,078,607
TOTAL DEPARTMENT OF EDUCATION:			
SOURCE OF FUNDS:			
(1) ETF .....	35,875,572		
(2) Federal and Local Funds.....	440,177,713		
GRAND TOTAL STATE DEPARTMENT OF EDUCATION .....	35,875,572	440,177,713	476,053,285

15. EDUCATIONAL TELEVISION COMMISSION:

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		Fund Sources Included In Appropriation Total		
		ETF	Earmarked Funds	Appropriation Total
(a) Educational Television and Public Radio Service Pro- gram .....				8,383,639
(b) Capital Outlay Program.....				127,500
The above appropriation is for equipment replacement/ upgrade purposes.				
SOURCE OF FUNDS:				
(1) ETF .....		7,176,389		
(2) Federal and Local Funds.....			1,334,750	
Total Educational Television Commission .....		7,176,389	1,334,750	8,511,139
<hr/>				
<b>16.</b>	<b>EXAMINERS OF PUBLIC ACCOUNTS, DEPARTMENT OF:</b>			
(a) Educational Audit Services Program.....				1,823,994
SOURCE OF FUNDS:				
(1) ETF .....		1,823,994		
Total Department of Ex- aminers of Public Ac- counts .....		1,823,994		1,823,994
<hr/>				
<b>17.</b>	<b>FAMILY PRACTICE RURAL HEALTH BOARD:</b>			
(a) Family Practice Rural Health Program.....				833,540
SOURCE OF FUNDS:				
(1) ETF .....		833,540		
Total Family Practice Rural Health Board.....		833,540		833,540
<hr/>				
<b>18.</b>	<b>FINANCE, DEPARTMENT OF - TELECOMMUNICA- TIONS DIVISION, TELE- PHONE REVOLVING FUND:</b>			
(a) Administrative Support Services Program .....				3,458,333
SOURCE OF FUNDS:				
(1) ETF-Transfer .....		3,458,333		
Total Department of				

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		Fund Sources Included In Appropriation Total	
	ETF	Earmarked Funds	Appropriation Total
Finance - Telecommunica- tions Division, Telephone Revolving Fund .....	3,458,333		3,458,333
The Telephone Revolving Fund shall assess to using agencies and institutions any additional amount necessary to provide continuing non- interrupted service of a mini- mum maintenance level.			
<b>19. FINE ARTS, ALABAMA SCHOOL OF:</b>			
(a) Fine Arts Program .....			4,239,410
SOURCE OF FUNDS:			
(1) ETF .....	3,544,723		
(2) Federal and Local Funds .....		694,687	
Total Alabama School of Fine Arts .....	3,544,723	694,687	4,239,410
<b>20. FIREFIGHTERS' PERSON- NEL STANDARDS AND ED- UCATION COMMISSION, ALABAMA/ ALABAMA STATE FIRE COLLEGE- SHELTON STATE COMMU- NITY COLLEGE:</b>			
(a) Operations and Mainte- nance .....	2,864,504	1,707,937	4,572,441
(b) Auxiliary Enterprises .....		1,102,040	1,102,040
SOURCE OF FUNDS:			
(1) ETF .....	2,864,504		
(2) Federal and Other Funds .....		2,809,977	
Total Alabama Firefighters' Personnel Standards and Education Commission/Ala- bama State Fire College - Shelton State Community College .....	2,834,504	2,809,977	5,674,481
<b>21. HIGHER EDUCATION, ALABAMA COMMISSION ON:</b>			

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Fund Sources Included In Appropriation Total			
	ETF	Earmarked Funds	Appropriation Total
(a) Planning and Coordination Services Program .....			2,536,808
The proposed spending plan for the ETF monies included in the above program is as follows:			
Operations and Mainte- nance .....			2,536,808
SOURCE OF FUNDS:			
(1) ETF .....	2,536,808		
Total Planning and Coordi- nation Services Program (Total Operations) .....	2,536,808		2,536,808
(b) Student Financial Aid Pro- gram .....			10,000,707
The proposed spending plan for the ETF monies included in the above program is to be distributed through ACHE as follows:			
(1) Educational Grants Pro- gram .....			5,600,000
(2) Alabama National Guard Educational Assis- tance .....			600,000
To be expended in accor- dance with Code of Ala- bama 1975, Sections 31- 10-1 through 31-10-4 and Sections 31-10-20 through 31-10-25. In addition to the above ap- propriation, there is hereby appropriated \$400,000 for the Ala- bama National Guard Educational Assistance to be conditioned upon the availability of funds in the ETF and the ap- proval of the Governor.			
(3) Teacher Education Scholarship Loan Pro- gram .....			500,000
To be expended in accor- dance with Code of Ala- bama 1975, Section 16- 23-24. Of the above ap-			

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Fund Sources Included <u>In Appropriation Total</u>			
	ETF	Earmarked Funds	Appropriation Total
propriation, \$150,000 shall be expended for instructional equipment.			
(4) Chiropractic Scholarships ..... 37,986 To be expended in accordance with Code of Alabama 1975, Section 16-5-11.			
(5) Policeman's Survivor Tuition, Estimated ..... 60,000 To be expended under the provisions of Code of Alabama 1975, Section 36-21-105.			
(6) Alabama Student Assistance Program ..... 1,547,471			
SOURCE OF FUNDS:			
(1) ETF .....	7,845,457		
(2) ETF-Transfer .....	500,000		
(3) Federal and Local Funds .....		55,250	
Total Student Financial Aid Program .....	8,345,457	55,250	8,400,707
(c) Support of Other Educational Activities Program .. The proposed spending plan for the ETF monies included in the above program is to be distributed through ACHE as follows:			2,771,117
(1) Network of Alabama Academic Libraries (NAAL) ..... 400,000 It is the intent of the Legislature that ACHE shall provide for the participation of Athens State College in the Network of Alabama Academic Libraries.			
(2) Southern Regional Education Board (SREB) .....			546,975
(3) EPSCoR-National Science Foundation Pro-			

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Fund Sources Included In Appropriation Total			
	ETF	Earmarked Funds	Appropriation Total
gram ..... 600,000			
(4) Computer-Based Articulation System .. 346,461			
To fund Troy State University for developing and operating a state-wide computer-based articulation system to serve all four-year and two-year postsecondary institutions in the State of Alabama.			
(5) Governor's Commission on Historically Black Colleges and Universities ..... 100,000			
To be expended pursuant to Executive Order No. 21.			
SOURCE OF FUNDS:			
(1) ETF .....	1,993,436		
(2) Federal and Local Funds.....		777,681	
Total Support of Other Educational Activities Program .....	1,993,436	777,681	2,771,117
(d) Alabama Guaranteed Student Loan Program .....			2,278,884
SOURCE OF FUNDS:			
(1) Federal and Local Funds.....		2,278,884	
Total Alabama Guaranteed Student Loan Program .....		2,278,884	2,278,884
TOTAL ALABAMA COMMISSION ON HIGHER EDUCATION:			
SOURCE OF FUNDS:			
(1) ETF .....	12,875,701		
(2) Federal and Local Funds.....	3,111,815		
GRAND TOTAL ALABAMA COMMISSION ON HIGHER EDUCATION .....	12,875,701	3,111,815	15,987,516

**22. HUMAN RESOURCES, DEPARTMENT OF:**

(a) Jobs Opportunities and

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Fund Sources Included <u>In Appropriation Total</u>			
	ETF	Earmarked Funds	Appropriation Total
Basic Skills Training (JOBS) Program .....			4,134,058
(b) JOBS Child Care and After School Child Care Pro- gram .....			3,706,195
SOURCE OF FUNDS:			
(1) ETF-Transfer .....	7,840,253		
Total Department of Hu- man Resources .....	7,840,253		7,840,253

Of the total state and federal dollars received by the Department of Human Resources for the JOBS program, at least \$600,000 shall be used to contract with the Department of Education-Adult Basic Education Program for educational services to JOBS participants. Of the above appropriation, \$20,000 shall be allocated to the Stillman Day Care and \$35,000 shall be allocated to the McRae Learning Center. Child care services shall be administered by regionally based child care management agencies who must provide information regarding the range of provider options of child care centers, family child care homes, and informal child care with a relative. Child care management agencies shall be responsible for managing child care providers to ensure fiscal accuracy of payments made for child care services and to ensure that child care has been provided. Child care providers licensed by the Department of Human Resources shall be reimbursed for child care services at no less than the 75th percentile of the local market rate which shall be established on an annual



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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
basis based on a representative sample of licensed child care providers. In addition to the above appropriation to the Department of Human Resources, there is hereby appropriated \$10 million from the ETF for child care services for families transitioning off welfare and low income working families to be conditioned upon the availability of funds in the ETF and the approval of the Governor.			

**23. INDUSTRIAL DEVELOPMENT TRAINING INSTITUTE, ALABAMA:**

(a) Operations and Maintenance Program .....	2,047,697		2,047,697
(b) Industrial Development and Training Program .....	12,926,273		12,926,273
<b>SOURCE OF FUNDS:</b>			
(1) ETF .....	14,973,970		
Total Alabama Industrial Development Training Institute .....	14,973,970		14,973,970

Of the above appropriation to the Alabama Industrial Development Training Institute, \$5,000,000 shall be expended for automotive industry training; \$350,000 shall be transferred to the University of Alabama in Huntsville for an Advanced Technology Transfer Program; \$550,000 shall be expended to fund the operations of the Michelin Training Center; \$500,000 shall be expended for Training for Business and Industry at Shelton State Community College; \$300,000 shall be

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
expended for the Minority Technology and Entrepreneurial Center at Bishop State Community College; \$300,000 shall be expended for training displaced jobs as the result of the related Military Base Closure in Calhoun County (no portion of this appropriation shall revert but shall remain available for expenditure until the base reuse project is declared completed); \$300,000 shall be expended for the Alabama Southern Community College for Paper/Chemical Production Training; \$500,000 shall be expended for retraining programs for Gulf States Steel Corporation and for Goodyear Tire Company to be conducted by Gadsden State Community College; \$500,000 shall be expended by Jefferson State Community College for the International Standardization Organization (ISO 9000 program); \$200,000 shall be allocated for the Job Training for U.S. Gypsum at Northeast Alabama State Community College; \$50,000 shall be allocated for job training by Beville State Community College; and \$50,000 shall be allocated for woodworking training in association with Beville State Community College.			

24. LAW INSTITUTE, ALABAMA:

- (a) Support of Other Educational Activities Program ..

51,000

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		Fund Sources Included <u>In Appropriation Total</u>	
	ETF	Earmarked Funds	Appropriation Total
<b>SOURCE OF FUNDS:</b>			
(1) ETF .....	51,000		
Total Alabama Law In- stitute .....	51,000		51,000
<b>25. JOINT LEGISLATIVE OVERSIGHT COMMIT- TEE ON COMMUNITY SERVICES GRANTS:</b>			
(a) Community Services Grants Program .....			5,000,000
<b>SOURCE OF FUNDS:</b>			
(1) ETF .....	5,000,000		
Total Joint Legislative Over- sight Committee on Com- munity Services Grants .....	5,000,000		5,000,000
To be expended pursuant to House Bill 345 of the 1997 Regular Session. The Com- munity Services Grants pro- vided for in this appropria- tion shall be used only for the benefit of K-12 public schools and shall be re- viewed by the State Super- intendent of Education prior to approval by the Commit- tee.			
<b>26. LIBRARY SERVICE, ALA- BAMA PUBLIC:</b>			
(a) Public Library Service Pro- gram .....			9,581,148
<b>SOURCE OF FUNDS:</b>			
(1) ETF .....	8,081,148		
(2) Federal and Local Funds .....		1,500,000	
Total Alabama Public Library Service .....	8,081,148	1,500,000	9,581,148
Of the above appropriation, a minimum of \$5,274,347 is to be distributed to the pub- lic libraries within the state. Of the above appropriation, in addition to their normal			

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		Fund Sources Included <u>In Appropriation Total</u>		
		ETF	Earmarked Funds	Appropriation Total
allocation, \$25,000 shall be allocated to the Madison City Library and \$50,000 shall be allocated to the Monroeville Public Library. In addition to the above appropriation to the Alabama Public Library Service, there is hereby appropriated \$500,000 from the ETF to be conditioned upon the availability of funds in the ETF and the approval of the Governor.				
<b>27. MARINE ENVIRONMENTAL SCIENCES CONSORTIUM:</b>				
(a) Support of Other Educational Activities Program ..				3,689,238
SOURCE OF FUNDS:				
(1) ETF .....	2,788,351			
(2) Federal and Other Funds.....			900,887	
Total Marine Environmental Sciences Consortium ....	2,788,351	900,887	3,689,238	
<b>28. MATHEMATICS AND SCIENCE, ALABAMA SCHOOL OF:</b>				
(a) Mathematics and Science Program .....				5,031,119
SOURCE OF FUNDS:				
(1) ETF .....	4,916,619			
(2) Federal and Local Funds.....			114,500	
Total Alabama School of Mathematics and Science..	4,916,619	114,500	5,031,119	
<b>29. MEDICAL SCHOLARSHIP AWARDS, BOARD OF:</b>				
(a) Support of Other Educational Activities Program ..				1,216,641
SOURCE OF FUNDS:				

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	Fund Sources Included In Appropriation Total		
	ETF	Earmarked Funds	Appropriation Total
(1) ETF .....	468,721		
(2) Federal and Local Funds.....		747,920	
Total Board of Medical Scholarship Awards .....	468,721	747,920	1,216,641
To be expended under the provisions of Code of Ala- bama 1975, Sections 16-47- 121 through 16-47-129.			

**30. MENTAL HEALTH AND  
MENTAL RETARDATION,  
DEPARTMENT OF:**

(a) Mental Illness Program .....		9,138,737
Of the above appropriation, \$300,000 shall be expended for Alzheimer's Disease Education and Training; and \$50,000 shall be expended for the Glenwood Wilder- ness Program. Any 310 Au- thority duly organized before May 1, 1997 shall be recog- nized by the Department of Mental Health and Mental Retardation as service pro- viders. The Department of Mental Health and Mental Retardation shall enter into contracts with local school systems to reimburse those school systems for education and education-related ser- vices provided to children under the care of the Depart- ment of Mental Health and Mental Retardation.		
(b) Mental Retardation Pro- gram .....		5,718,959
(c) Substance Abuse Pro- gram .....		814,979
SOURCE OF FUNDS:		
(1) ETF-Transfer .....	15,672,675	
Total Department of Men- tal Health and Mental Re- tardation .....	15,672,675	15,672,675

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		Fund Sources Included In Appropriation Total		
		ETF	Earmarked Funds	Appropriation Total
31.	<b>MONTGOMERY INTERNAL MEDICINE RESIDENCY PROGRAM:</b>			
	(a) Support of Other Educational Activities Program .....			211,000
	SOURCE OF FUNDS:			
	(1) ETF .....	211,000		
	Total Montgomery Internal Medicine Residency Program .....	211,000		211,000
	The above appropriation to the Montgomery Internal Medicine Residency Program from the ETF shall be in addition to the funds received by said program from the University of Alabama at Birmingham (UAB), and the funds allocated to the Montgomery Internal Medicine Residency Program from UAB shall not be diminished from the amount allocated in fiscal year 1996-97.			
32.	<b>MUSIC HALL OF FAME, ALABAMA:</b>			
	(a) Support of Other Educational Activities Program ..			165,800
	SOURCE OF FUNDS:			
	(1) ETF .....	165,800		
	Total Alabama Music Hall of Fame .....	165,800		165,800
	The Alabama Music Hall of Fame shall submit an operations plan to the local legislative delegation prior to October 1, 1997.			
33.	<b>NURSING, ALABAMA BOARD OF:</b>			
	(a) Professional and Occupational Licensing and Regu-			

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		Fund Sources Included <u>In Appropriation Total</u>		
		ETF	Earmarked Funds	Appropriation Total
lation Program .....				57,000
SOURCE OF FUNDS:				
(1) ETF-Transfer .....		57,000		
As provided in Code of Alabama 1975, Sections 34-21-60 through 34-21- 63 for Graduate Nursing Scholarships.				
Total Alabama Board of Nursing .....		57,000		57,000
<hr/>				
<b>34.</b>	<b>OPTOMETRIC SCHOLAR- SHIP AWARDS, BOARD OF:</b>			
(a) Support of Other Educa- tional Activities Program ..				103,160
SOURCE OF FUNDS:				
(1) ETF .....		103,160		
Total Board of Optometric Scholarship Awards .....		103,160		103,160
To be expended under the provisions of the Code of Alabama 1975, Sections 34- 22-60 through 34-22-65.				
<hr/>				
<b>35.</b>	<b>PEACE OFFICERS' STAN- DARDS AND TRAINING COMMISSION, ALABAMA:</b>			
(a) Professional and Occupa- tional Licensing and Regu- lation Program .....				405,136
(b) Certified Law Enforcement Academy Program .....				1,062,900
Of the above appropriation for the Certified Law Enforce- ment Academy Program, the \$612,900 of ETF monies in- cluded therein shall be ex- pended as follows:				
Northeast Police Acad- emy .....		159,354		
University of Ala- bama .....		159,354		
Southwest Police Acad- emy .....		159,354		
Alabama Police Acad-				

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		Fund Sources Included <u>In Appropriation Total</u>		
		ETF	Earmarked Funds	Appropriation Total
emy ..... 85,806				
Montgomery Police Academy ..... <u>49,032</u>				
Total ..... 612,900				
SOURCE OF FUNDS:				
(1) ETF .....	1,018,036			
(2) Alabama Peace Officers' Standards and Training Fund-as provided in Code of Alabama 1975, Sections 36-21-40 through 36-21-51 .....			450,000	
Total Alabama Peace Officers' Standards and Training Commission .....		1,018,036	450,000	1,468,036
<b>36. POSTSECONDARY EDUCATION DEPARTMENT:</b>				
(a) Postsecondary Two-Year Institutions Program .....				3,612,802
(b) Industrial Scholarships Program .....				50,000
SOURCE OF FUNDS:				
(1) ETF .....	3,234,336			
(2) Federal and Local Funds .....			428,466	
Total Postsecondary Education Department .....		3,234,336	428,466	3,662,802
<b>37. SOIL AND WATER CONSERVATION COMMITTEE, STATE:</b>				
(a) Soil Conservation Program .....				21,250
SOURCE OF FUNDS:				
(1) ETF .....	21,250			
Total State Soil and Water Conservation Committee ...		21,250		21,250
<b>38. SPORTS HALL OF FAME, ALABAMA:</b>				
(a) Scholarship Program .....				200,000
SOURCE OF FUNDS:				
(1) ETF .....	200,000			



	Fund Sources Included In Appropriation Total		
	ETF	Earmarked Funds	Appropriation Total
Total Alabama Sports Hall of Fame .....	200,000		200,000
In addition to the above appropriation to the Alabama Sports Hall of Fame, there is also hereby conditionally appropriated the sum of \$500,000 to be expended for Bryant-Jordan Student Athlete Scholarships to be conditioned on the availability of funds in the ETF and the approval of the Governor.			
39. SUPERCOMPUTER AUTHORITY, ALABAMA:			
(a) Administrative Support Services Program .....			5,792,577
The above appropriation is to be expended in accordance with Sections 41-10-390 through 41-10-406, Code of Alabama 1975.			
SOURCE OF FUNDS:			
(1) ETF-Transfer .....	5,000,000		
(2) Supercomputer Revolving Fund, Estimated ....		792,577	
Total Alabama Supercomputer Authority .....	5,000,000	792,577	5,792,577
In addition to the above appropriation to the Alabama Supercomputer Authority, there is hereby appropriated \$1,000,000 to be conditioned upon the availability of funds in the ETF and the approval of the Governor. This shall be the first priority and shall be released in full before any other conditional appropriations from the ETF may be released.			
40. TENURE COMMISSION, STATE:			
(a) Regulation Program .....			15,000

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		Fund Sources Included In Apropiation Total	
	ETF	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:			
(1) ETF .....	15,000		
Total State Tenure Com- mission .....	15,000		15,000
<b>41. VETERANS' AFFAIRS, DE- PARTMENT OF:</b>			
(a) Administration of Veterans' Affairs Program .....			6,038,544
SOURCE OF FUNDS:			
(1) ETF-Transfer .....	6,038,544		
Total Department of Vet- erans' Affairs .....	6,038,544		6,038,544
The above appropriation is for Veterans' Education Ben- efits and includes pro rata administration costs of the Department of Veterans' Af- fairs and for the reimburse- ment to every state institu- tion of higher learning, col- lege, university, community college, junior college, or technical college in which benefits are given to veter- ans, their spouses, widows, or children under the provi- sions of Code of Alabama 1975, Sections 31-6-1 through 31-6-17.			
<b>42. YOUTH SERVICES, DE- PARTMENT OF:</b>			
(a) Financial Assistance Pro- gram .....			4,715,875
The above appropriation for Financial Assistance Pro- gram includes \$4,081,615 of ETF monies. The above ap- propriation shall be ex- pended by the Youth Ser- vices Department District in a manner consistent with the funding formula coopera- tively established by the			

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
<p>Youth Services Board and the State Board of Education pursuant to the provisions of Code of Alabama 1975, Sections 44-1-70 through 44-1-77.</p> <p>(b) Community Educational Programs ..... 3,698,228</p> <p>Of the above appropriation, \$100,000 shall be allocated to COARMM; \$100,000 shall be allocated to establish the Decatur/Morgan County C.I.T.Y. program; and \$35,000 shall be allocated to the Triana Youth Center. The remainder of the above appropriation shall be used for the support and maintenance of existing C.I.T.Y. programs in Etowah, Jefferson, Madison, Mobile, Montgomery, Tuscaloosa, Chilton, Houston and Dallas Counties. It is the intent of the Legislature that local boards of education provide facilities and/or equivalent inkind services for the operation of C.I.T.Y. programs that accept students from their school systems. In addition to the above appropriation, there is hereby appropriated \$100,000 for a C.I.T.Y. program in Russellville; \$100,000 to the C.I.T.Y. program in Lee County; and \$250,000 for the C.I.T.Y. program in Decatur/Morgan County all to be conditioned upon the availability of funds in the ETF and the approval of the Governor.</p> <p>SOURCE OF FUNDS:</p> <p>(1) ETF ..... 7,779,843</p> <p>(2) Federal and Local Funds..... 634,260</p>			

	Fund Sources Included In Appropriation Total		
	ETF	Earmarked Funds	Appropriation Total
Total Department of Youth Services .....	7,779,843	634,260	8,414,103

#### SECTION 4. COLLEGES, UNIVERSITIES AND SCHOOLS:

**I. BOARD OF TRUSTEES  
OF UNIVERSITY OF  
ALABAMA:**

- |  |             |             |             |
|--|-------------|-------------|-------------|
| (a) Operations and Maintenance and Program Support for the University of Alabama at Tuscaloosa .....   | 103,940,845 | 57,507,025  | 161,447,870 |
| Of the above appropriation, \$200,000 shall be allotted for capital outlay at the University of Alabama/Stillman College Cooperative for the Michael Figures Museum and \$100,000 shall be allotted for the University of Alabama/Stillman College Cooperative for the Michael Figures Leadership Conference of Youth.   |             |             |             |
| (b) Operations and Maintenance and Program Support for the University of Alabama at Birmingham .....   | 180,349,811 | 604,517,490 | 784,867,301 |
| Of the above appropriation to the University of Alabama at Birmingham \$400,000 shall be used to fund the Minority Business Training-Economic Development program; \$50,000 shall be used to fund FACES; \$50,000 shall be used to fund the Neonatal-Seizure Research program; \$100,000 shall be used to fund the Minority Technology program; \$200,000 shall be used to fund the Southern Center for International Studies; and \$100,000 shall be used to fund Nuclear |             |             |             |

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	Fund Sources Included In Appropriation Total		
	ETF	Earmarked Funds	Appropriation Total
Magnetic Resonance Studies.			
(c) Operations and Maintenance and Program Support for the University of Alabama in Huntsville .....	35,225,014	21,538,994	56,764,008
Of the above appropriation, \$75,000 shall be allocated to the Silicon 30 Study Project.			
(d) Special Mental Health and Chauncey Sparks Center for Developmental and Learning Disorders, University of Alabama at Birmingham .....	4,298,696		4,298,696
(e) Alabama SchoolFest Program, University of Alabama .....	820,458		820,458
(f) Alabama Technology Network Program, University of Alabama .....	1,750,000		1,750,000
The Bevill Center for Advanced Environmental Technology shall submit an operations plan to the local legislative delegation prior to October 1, 1997.			
(g) Alabama Technology Network Program, Minority Technology Networks .....	750,000		750,000
(h) School of Optometry Fund-Transfer to University of Alabama at Birmingham			
School of Optometry .....		50,000	50,000
(i) Auxiliary Enterprises .....		75,602,598	75,602,598
(j) Restricted Funds .....		245,287,252	245,287,252
SOURCE OF FUNDS:			
(1) ETF .....	327,134,824		
(2) Federal and Other Funds .....		1,004,503,359	
Total Board of Trustees of University of Alabama .....	327,134,824	1,004,503,359	1,331,638,183

**II. BOARD OF TRUSTEES OF ALABAMA A&M UNIVERSITY:**

(a) Operations and Maintenance

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	Fund Sources Included <u>In Appropriation Total</u>		
	ETF	Earmarked Funds	Appropriation Total
nance and Program Support .....	23,241,871	15,063,934	38,305,805
(b) Title VI Program Enhancement .....	570,416		570,416
The proposed spending plan for the above Title VI Program Enhancement appropriation is as follows:			
Consultants/Faculty .....	184,420		
Instructional Support .....	385,996		
(c) Desegregation Planning ....	184,906		184,906
(d) Urban Affairs and New Non-Traditional Land Grant Programs .....	1,331,000		1,331,000
(e) Agricultural Research Station Fixed Costs .....	300,000		300,000
(f) Cooperative Extension, Research and Service .....	924,528		924,528
The above appropriation in (b) through (f) from the ETF is to be released and used as restricted by and in compliance with Knight v. Alabama, 900 F Supp 272.			
(g) Auxiliary Enterprises .....		5,987,221	5,987,221
(h) Restricted Funds .....		19,118,834	19,118,834
SOURCE OF FUNDS:			
(1) ETF .....	26,552,721		
(2) Federal and Other Funds .....		40,169,989	
Total Board of Trustees of Alabama A&M University .....	26,552,721	40,169,989	66,722,710
Of the above appropriation for operations and maintenance, a total of \$250,000 shall be allocated to the Black Archives Museum.			

**III. BOARD OF TRUSTEES OF ALABAMA A&M UNIVERSITY:**

(a) Alabama A&M University-Miles College Consortium ....	369,800		369,800
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		Fund Sources Included In Appropriation Total		
		ETF	Earmarked Funds	Appropriation Total
SOURCE OF FUNDS:				
(1) ETF .....		369,800		
Total Alabama A&M Uni- versity-Miles College Con- sortium .....		369,800		369,800
IV. BOARD OF TRUSTEES OF ALABAMA STATE UNIVERSITY:				
(a) Operations and Mainte- nance and Program Sup- port .....	23,941,505	18,790,735		42,732,240
(b) Title VI Program Enhance- ment .....	1,657,477			1,657,477
The proposed spending plan for the above Title VI Pro- gram Enhancement appro- priation is as follows:				
Consultants/Fac- ulty .....	462,264			
Instructional Sup- port .....	1,195,213			
(c) Desegregation Planning ....	184,906			184,906
The above appropriation in (b) through (c) from the ETF is to be released and used as restricted by and in compli- ance with Knight v. Ala- bama, 900 F Supp 272.				
(d) Cooperative Efforts to En- hance Community Educa- tional Institutions.....	500,000			500,000
(e) Auxiliary Enterprises .....		9,945,702		9,945,702
(f) Restricted Funds .....		12,394,491		12,394,491
SOURCE OF FUNDS:				
(1) ETF .....	26,283,888			
(2) Federal and Other Funds.....		41,130,928		
Total Board of Trustees of Alabama State University .....	26,283,888	41,130,928		67,414,816
V. STATE BOARD OF EDU- CATION - ATHENS STATE COLLEGE:				
(a) Operations and Mainte-				

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Fund Sources Included <u>In Appropriation Total</u>			
	ETF	Earmarked Funds	Appropriation Total
nance and Program Support .....	7,338,264	4,880,317	12,218,581
(b) Auxiliary Enterprises .....		698,731	698,731
(c) Restricted Funds .....		1,260,656	1,260,656
SOURCE OF FUNDS:			
(1) ETF .....	7,338,264		
(2) Federal and Other Funds .....		6,839,704	
Total State Board of Education-Athens State College .....	7,338,264	6,839,704	14,177,968
In addition to the above appropriation to Athens State College, there is hereby appropriated \$1,000,000 from the ETF to be conditioned upon the availability of funds in the ETF and the approval of the Governor.			

**VI. BOARD OF TRUSTEES OF  
AUBURN UNIVERSITY:**

(a) Operations and Maintenance and Program Support .....	175,588,767	110,761,208	286,349,975
(b) Alabama Technology Network Program, Auburn University .....	1,750,000		1,750,000
(c) Auxiliary Enterprises .....		53,525,666	53,525,666
(d) Restricted Funds .....		68,596,863	68,596,863
SOURCE OF FUNDS:			
(1) ETF .....	177,338,767		
(2) Federal and Other Funds .....		232,883,737	
Total Board of Trustees of Auburn University .....	177,338,767	232,883,737	410,222,504
Of the above appropriation to the Auburn University System, \$100,000 shall be allocated to the Raptor Rehabilitation Center at Auburn; \$200,000 shall be allocated for capital outlay at the Auburn University at Montgomery Athletic facility; and \$40,000 additional			



Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
ETF funds shall be allocated for Auburn University at Montgomery Community Outreach. In addition to the above appropriation to Auburn University, there is hereby appropriated \$1,000,000 to the school for Veterinary Medicine at Auburn University to be conditioned upon the availability of funds in the ETF and the approval of the Governor.			

**VII. BOARD OF TRUSTEES  
OF JACKSONVILLE  
STATE UNIVERSITY:**

(a) Operations and Maintenance and Program Support .....	24,798,379	16,971,000	41,769,379
(b) Auxiliary Enterprises .....		3,668,450	3,668,450
(c) Restricted Funds .....		19,115,854	19,115,854
<b>SOURCE OF FUNDS:</b>			
(1) ETF .....	24,798,379		
(2) Federal and Other Funds .....		39,755,304	
Total Board of Trustees of Jacksonville State University .....	24,798,379	39,755,304	64,553,683

In addition to the above appropriation to Jacksonville State University, there is hereby appropriated \$1,000,000 from the ETF to be conditioned upon the availability of funds in the ETF and the approval of the Governor.

**VIII. BOARD OF TRUSTEES OF  
UNIVERSITY OF MONTE-  
VALLO:**

(a) Operations and Maintenance and Program Support .....	13,241,753	8,871,054	22,112,807
(b) Auxiliary Enterprises .....		4,800,758	4,800,758

	Fund Sources Included In <u>Appropriation Total</u>		
	ETF	Earmarked Funds	Appropriation Total
(c) Restricted Funds.....		2,249,888	2,249,888
SOURCE OF FUNDS:			
(1) ETF .....	13,241,753		
(2) Federal and Other Funds.....		15,921,700	
Total Board of Trustees of University of Montevallo ..	13,241,753	15,921,700	29,163,453
Of the above appropriation to the University of Montevallo, \$100,000 shall be allocated to the Wallace Speech and Hearing Pathology Center.			

**IX. BOARD OF TRUSTEES OF  
UNIVERSITY OF NORTH  
ALABAMA:**

(a) Operations and Maintenance and Program Support .....	18,696,037	12,970,788	31,666,825
Of the above appropriation, \$550,000 shall be expended at the Kilby School and \$50,000 shall be expended for Economic Research and Service.			
(b) Auxiliary Enterprises .....		3,125,169	3,125,169
(c) Restricted Funds.....		1,208,439	1,208,439
SOURCE OF FUNDS:			
(1) ETF .....	18,696,037		
(2) Federal and Other Funds.....		17,304,396	
Total Board of Trustees of University of North Alabama.....	18,696,037	17,304,396	36,000,433
In addition to the above appropriation to the University of North Alabama, there is hereby appropriated \$760,000 from the ETF to be conditioned upon the availability of funds in the ETF and the approval of the Governor.			

**X. BOARD OF TRUSTEES OF  
UNIVERSITY OF SOUTH  
ALABAMA:**

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	Fund Sources Included In <u>Appropriation Total</u>		
	ETF	Earmarked Funds	Appropriation Total
(a) Operations and Maintenance and Program Support .....	70,025,754	214,137,357	284,163,111
(b) Auxiliary Enterprises .....		12,442,614	12,442,614
(c) Restricted Funds .....		22,200,000	22,200,000
<hr/>			
SOURCE OF FUNDS:			
(1) ETF .....	70,025,754		
(2) Federal and Other Funds .....		248,779,971	
<hr/>			
Total Board of Trustees of University of South Alabama .....	70,025,754	248,779,971	318,805,725
<hr/>			
Of the above appropriation to the University of South Alabama, \$350,000 shall be allocated to the Southwest Alabama Health Care Network.			

**XI. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:**

(a) Operations and Maintenance and Program Support for Troy State University ...	19,696,380	38,051,944	57,748,324
Of the above appropriation to Troy State University from the ETF, \$300,000 shall be allocated for capital outlay.			
(b) Operations and Maintenance and Program Support for Troy State University Dothan .....	4,572,036	4,982,504	9,554,540
(c) Operations and Maintenance and Program Support for Troy State University at Montgomery .....	4,402,734	4,934,229	9,336,963
(d) Auxiliary Enterprises .....		10,095,000	10,095,000
(e) Restricted Funds .....		6,369,881	6,369,881
<hr/>			
SOURCE OF FUNDS:			
(1) ETF .....	28,671,150		
(2) Federal and Other Funds .....		64,433,558	
<hr/>			
Total Board of Trustees of Troy State University .....	28,671,150	64,433,558	93,104,708
<hr/>			

**XII. BOARD OF TRUSTEES OF**

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Fund Sources Included In <u>Apropriation Total</u>			
	ETF	Earmarked Funds	Appropriation Total
<b>UNIVERSITY OF WEST ALABAMA:</b>			
(a) Operations and Maintenance and Program Support .....	8,102,428	5,017,951	13,120,379
(b) Auxiliary Enterprises .....		2,859,372	2,859,372
(c) Restricted Funds .....		401,857	401,857
SOURCE OF FUNDS:			
(1) ETF .....	8,102,428		
(2) Federal and Other Funds .....		8,279,180	
Total Board of Trustees of University of West Alabama .....	8,102,428	8,279,180	16,381,608
<b>XIII. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND:</b>			
(a) Adult Programs .....	5,707,838	4,944,107	10,651,945
(b) Children and Youth Programs .....	17,761,473	2,239,307	20,000,780
(c) Industries for the Blind .....	4,165,315	9,219,553	13,384,868
SOURCE OF FUNDS:			
(1) ETF .....	27,634,626		
(2) Federal and Other Funds .....		16,402,967	
Total Board of Trustees of Alabama Institute for Deaf and Blind .....	27,634,626	16,402,967	44,037,593
In addition to the above appropriation to the Alabama Institute for Deaf and Blind, there is hereby appropriated \$1,000,000 from the ETF to the Institute to be conditioned upon the availability of funds in the ETF and the approval of the Governor.			
<b>XIV. KNIGHT V. ALABAMA - FINANCIAL OBLIGATIONS:</b>			
(a) Operations and Maintenance and Program Support, Estimated .....			4,923,716

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Fund Sources Included  
In Appropriation Total

	ETF	Earmarked Funds	Appropriation Total
<b>SOURCE OF FUNDS:</b>			
(1) ETF .....	4,923,716		
Total Knight v. Alabama ...	4,923,716		4,923,716
To be allocated and expended in accordance with the 1995 Remedial Decree in Knight v. Alabama, Civil Action CV 83-M-1676, 900 F Supp 272.			

**SECTION 5.** There is hereby appropriated the following amounts to the following institutions, to be expended to offset the cost of providing salary increases for faculty and staff granted for the 1997-98 fiscal year, to be conditioned upon the availability of funds in the Education Trust Fund and the approval of the Governor:

- a. University of Alabama System University of Alabama at Tuscaloosa ..... \$1,027,278
- University of Alabama at Birmingham ..... \$1,786,890
- University of Alabama in Huntsville ..... \$344,865
- b. Alabama A&M University ..... \$263,126
- c. Alabama State University ..... \$254,296
- d. Athens State College ..... \$72,731
- e. Auburn University System ..... \$1,739,606
- f. Jacksonville State University ..... \$245,753
- g. University of Montevallo ..... \$129,236
- h. University of North Alabama ..... \$182,796
- i. University of South Alabama ..... \$691,277
- j. Troy State University System
  - Troy State University-Troy ..... \$192,278
  - Troy State University-Dothan ..... \$41,363
  - Troy State University-Montgomery ..... \$43,248
- k. University of West Alabama ..... \$80,296
- l. State Board of Education-Two-Year College System ..... \$1,858,476
- m. State Board of Education-Prison Education ..... \$83,208
- n. Firefighters Personnel Standards and Education Commission/Alabama Fire College-Shelton State Community College ..... \$28,361
- o. Alabama Institute for Deaf and Blind ..... \$271,346

**SECTION 6.** The Legislature by its passage of Act 95-314 requires the phase out of hold harmless funds to be completed in FY 1999 in scheduled increments over a four-year period. The State Department of Education may exclude 2% of the amount of the FY 1997 4% pay raise

from the calculation of the hold harmless amount to be distributed from the Public School Fund. Any local board of education receiving hold harmless funds may use part or all of its capital outlay allowance for the additional costs of any salary increase mandated by the Legislature in FY 1997 and not covered by an adjustment to the hold harmless allowance.

**SECTION 7.** In addition to appropriations herein made, all gifts, grants, contributions, or entitlements, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

**SECTION 8.** The State Superintendent of Education shall make requisitions to the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds appropriated to the State Department of Education and/or the State Board of Education in this Act, whereupon the Comptroller shall issue his warrant therefor. Furthermore, the Executive Director of the Alabama Commission on Higher Education may submit to the Comptroller requests for timely payments of warrants to students receiving financial assistance to attend postsecondary educational institutions. All other appropriations in this Act shall be paid after proper requisitions are made to the State Comptroller in the manner now provided by law.

**SECTION 9.** No funds provided herein for the public schools shall be used for the payment of any salaries of personnel which are not under the direct control, employment, and supervision of local boards of education; provided, however, that this section shall not apply to the construction, renovation, or major repair of buildings or other capital improvements which are beyond the capacity of regular employees to perform.

**SECTION 10.** Nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educa-

tion or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

**SECTION 11.** All state-mandated and state-funded salary increases and fringe benefits for Child Nutrition Program workers shall be fully-funded from the Foundation Program Fund in this Act and shall therefor be subsequently fully-funded by all local school boards from funds provided in this Act from Other Current Expense and not from funds generated by the Child Nutrition Program.

**SECTION 12.** (a) Funds appropriated from the ETF or earmarked state funds in this Act to any state department, division, board, bureau, commission, agency, institution, or office (with the exception of local boards of education) shall not be expended for the purchase or lease of automotive vehicles. A state agency or postsecondary institution of higher education funded from the ETF or earmarked state funds in this Act may request to purchase or lease automotive vehicles for emergency purposes. The request shall be made in writing to the Director of Finance, the Chairman of the House Committee on Ways and Means, and the Chairman of the Senate Committee on Finance and Taxation-Education. The request shall explain the nature of the automotive purchase or lease and the emergency need for the vehicle. The request shall be approved unanimously by the Director of Finance, the Chairman of the House Committee on Ways and Means, and the Chairman of the Senate Committee on Finance and Taxation-Education prior to the purchase or lease of any automotive vehicle.

(b) No funds appropriated in this act, except for funds appropriated to entities excluded in subsection (a) of this section, shall be expended for the purpose of purchasing optional equipment on state motor vehicles that consist of stereo equipment, power seats, leather upholstery, premium wheel covers, deluxe exterior trim, or sun roofs.

(c) On the last day of this fiscal year, each state school, department, or agency receiving funds under this act shall file a report with the Legislature detailing purchases of new motor vehicles during the fiscal year, including complete information on the date of purchase, make and model of the vehicle, standard equipment on the vehicle, optional equipment on the vehicle, and a complete inventory of all state motor vehicles assigned to, being used by, or being leased by the state school, department, or agency receiving funds under this Act, and shall also submit an inventory report of

all motor vehicles that it operates that do not have state vehicle identification license tags.

**SECTION 13.** The appropriations made herein to the departments, boards, offices, commissions, and agencies include the amount necessary and said departments, boards, offices, commissions, and agencies are hereby directed to make the transfer of funds to the State Personnel Department in the amounts enumerated in the general appropriation act for the fiscal year ending September 30, 1998. All agencies enumerated in this Act that receive services from other governmental agencies enumerated in the general appropriation act shall make full payment in a timely manner (as determined by the Department of Finance) for such services.

**SECTION 14.** It is the intent of the Legislature that each agency receiving an appropriation in this appropriations act shall certify to the Department of Finance that it has a plan for its data processing and other computerized systems to become Year 2000 compliant. As part of the annual plan of operation, each agency shall certify in writing that the Year 2000 compliance plan is or will be implemented in a timely manner. This plan shall encompass those programs which are critical and necessary to the essential delivery of services to citizens, local governments, the federal government and other state entities. Each Year 2000 compliance plan shall be based on standards for data storage and exchange as established by the Department of Finance.

**SECTION 15.** Upon certification to the Director of Finance by the State Attorney General that a federal court has ordered the State of Alabama to pay claims, attorney fees, or other costs relating to said court order, funds are hereby appropriated to the affected department, board, bureau, or commission in the amount necessary to satisfy that court order. Such appropriations are in addition to any other appropriation heretofore or hereafter made in this appropriation act. Such appropriations are conditioned upon the availability of funds and a determination by the Director of Finance that other current appropriations are not available for the court-ordered payments.

**SECTION 16.** All encumbered balances of a previous fiscal year appropriation other than the exclusions authorized by the Code of Alabama 1975, Section 41-4-93, shall lapse no later than September 30 of the fiscal year immediately following the fiscal year for which the appropriation was made and shall revert to the credit of the ETF or earmarked fund from which the appropriation or appropriations were made.

**SECTION 17.** If any section, paragraph, sentence, clause, provi-



sion or portion of this Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

**SECTION 18.** All laws and parts of laws, general, special, private or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

**SECTION 19.** This Act shall become effective on October 1, 1997.

And said Bill, HB 119, as thus amended by the Report of the Committee on Conference, was again read and passed.

And said Bill, HB 119, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

GREG PAPPAS,  
Clerk.

### **HOUSE MESSAGE**

Senator Dixon moved that the Senate non-concur in the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, HB 119, the title of which and said Conference Report are set out in the foregoing Message from the House, and requested that the present Conference Committee be discharged and a new Conference Committee be appointed.

Senator Sanders offered a substitute motion that the Senate concur in and adopt the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, HB 119.

### **PETITION**

At 5:55 P.M., the Standing Committee on Rules filed the following Petition, to-wit:

### **PETITION TO VOTE TIME CERTAIN**

We, the undersigned members of the Senate Rules Committee, petition the Senate, pursuant to Senate Rule 20, that debate on the pending measure, HB 119, shall cease at 6:30 P.M., on May 19, 1997.

CHIP BAILEY  
HANK SANDERS  
DEWAYNE FREEMAN  
BOBBY DENTON  
RODGER SMITHERMAN  
PAT LINDSEY

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

**SJR 166.** CREATING THE UNAUTHORIZED SCRAP TIRE  
PILE JOINT INTERIM LEGISLATIVE COMMITTEE.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 349.** To amend Sections 34-40-3, 34-40-8, and 34-40-14, Code of Alabama 1975, relating to the Alabama Board of Athletic Trainers; providing for the membership on the board; providing for the duties and responsibilities of the board; providing for the employment of certain individuals; providing for reimbursement of expenses; requirements for the renewal of license; and to authorize grants to develop and promote athletic training programs and continuing education programs for athletic trainers.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

**SB 66.** To amend Section 32-6-360 of the Code of Alabama

1975, relating to distinctive license tags or plates bearing the words "Fraternal Order of Police"; and to provide that only active members of the Fraternal Order of Police would be eligible to receive the distinctive license tags.

Also:

**SB 657.** Providing for the purchase of prior service credit in the Judicial Retirement Fund subject to certain conditions by a judge who has returned to membership in the retirement fund after previously withdrawing his or her membership contributions from the retirement fund.

GREG PAPPAS,  
Clerk.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 6.** Providing for a member of the Employees' Retirement System to purchase credit in the system for certain prior service rendered to the United States Social Security Administration by a certain date.

Also:

**SB 10.** Relating to the allocation of volumes of the acts and resolutions of each legislative session; to amend Section 36-14-11 of the Code of Alabama 1975; to adjust the allocation; and to permit a recipient upon written request to reduce or refuse a specified allocation.

Also:

**SB 160.** Relating to Troy State University; amending Sections 16-56-1 through 16-56-12, inclusive, Code of Alabama 1975; repealing Sections 16-56-13 through 16-56-15, inclusive, Code of Alabama 1975; changing the name to the Troy State University System; specifying the purposes of the university system; specifying the authority of the university system to borrow money and incur obligations; prescribing the powers, duties, authority, and compensation of the board of trustees; providing for the reorganization of the board of trustees, the election of a president pro tempore, and the operation of the board; providing for the appointment of a

chancellor of the university system; authorizing the board of trustees to promulgate rules and procedures; providing for vacancy on the board of trustees; and repealing certain existing provisions relating to nursing scholarships.

Also:

**SB 287.** To amend Section 32-6-233.1 of the Code of Alabama 1975, relating to unauthorized use of handicapped parking places; to provide further for the penalties; to further specify the prohibition on unauthorized persons parking in parking zones designated for handicapped persons at certain private businesses; to provide for the posting of the amount of the fine for a violation on signs designating handicapped parking places; and to provide for the enforcement of this act.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, and finds same correctly enrolled, to-wit:

**SJR 167.** COMMENDING THE MONTGOMERY SOUTHEAST YMCA GIRLS' UNDER 10 SOCCER TEAM.

Also:

**SJR 168.** MOURNING THE DEATH OF COUNCILMAN KENNETH HERBERT BROWN OF AUBURN, ALABAMA.

PAT LINDSEY,  
Chairperson.

## SIGNING OF RESOLUTIONS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 953.** Relating to Chilton County; further providing for compensation of the board of registrars; amending Section 1 of Act 85-529, H. 768 of the 1985 Regular Session (Acts 1985, p. 638); and specifically repealing Acts 1707 and 1712 of the 1971 Regular Session, (Acts 1971, pp. 2874 and 2878), and Act 712 of the 1965 Regular Session (Acts 1965, p. 1317) and conflicting laws; and providing for a retroactive effective date of October 1, 1996.

Also:

**HB 999.** Relating to Marshall County; to provide that the county commission may pay life insurance premiums for its retired employees.

Also:

**HB 1001.** Relating to Bibb County; to create a motor vehicle license and title division within the office of the judge of probate for the issuance of motor vehicle licenses and titles; to provide for the selection of personnel for the license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and costs pursuant to the system of renewal of motor vehicle licenses by mail; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; to provide for the issuance of motor vehicle licenses and titles; and to transfer certain duties now performed by the tax assessor/collector to the judge of probate.

Also:

**HB 1017.** To alter or rearrange the boundary lines of the City of

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Monroeville, Monroe County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Monroeville, Monroe County, Alabama.

Also:

**HB 1056.** Relating to Pickens County; providing for costs to be imposed on each person incarcerated in the Pickens County jail; and providing for distribution of the revenues to be derived from the additional court costs.

Also:

**HB 1061.** Relating to Coosa County; providing further for the compensation of the sheriff.

Also:

**HB 31.** Relating to Houston County; to impose a fee of \$35 as a processing fee to compile and print a list for the general public of all holders of a privilege or business license issued by the judge of probate for an entire fiscal year or a fiscal year to date; and a fee of \$20 for compiling and printing lists and updates of a single month new privilege or business licenses issued by the judge of probate; to provide for the disposition of the fees; and to provide that the law shall be cumulative.

Also:

**HB 686.** To alter and rearrange the boundary lines and corporate limits of the municipality of Blue Mountain in Calhoun County to remove certain property from the corporate limits of the municipality, all property owned only by Blue Mountain Industries.

Also:

**HB 779.** Relating to Calhoun County; providing reimbursement to the county, the county commission, or to any municipality in the county for the expenditures for advertising a proposed local law raising revenues for a local entity whether public or private.

Also:

**HB 812.** Relating to Calhoun County; amending Sections 3, 4, and 6 of Act No. 95-375, H. 612 of the 1995 Regular Session (Acts 1995,

p. 763), authorizing any city in the county and the county commission to abate public nuisances; reducing the number of public meetings; and authorizing independent contractors to abate public nuisances.

Also:

**HB 891.** Relating to Elmore County, to repeal Act 10, H.61, of the 1911 Regular Session, as amended, relating to requiring the commissioner's court to publish the minutes of its meetings.

Also:

**HB 902.** Relating to Shelby County; providing for the payment of a county salary supplement to each Circuit Judge and the District Attorney of the Eighteenth Judicial Circuit and to each Shelby County District Judge; providing for certain additional increases in the supplement; providing for the termination of the supplement under certain conditions; and repealing conflicting law.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 859.** Relating to the Town of Pollard, Alabama, in Escambia County; to amend Sections 1, 2, and 3 of Act No. 92-389, H. 747 of the 1992 Regular Session of the Alabama Legislature (Acts 1992, p. 798); to restrict the use of the Town of Pollard Trust Account; to require an audit of the account; to provide for the membership of the board of trustees of the account, to require that account earnings be maintained in a separate account; and to provide that the fund may be terminated by four-fifths of the

electors voting in a special referendum.

Also:

**HB 861.** Relating to Escambia County; to levy an additional privilege and license tax and to provide for the collection, distribution, and use of the net proceeds of the additional tax, contingent only upon the repeal of Escambia County Resolution/Ordinance Number 3, approved September 23, 1991.

Also:

**HB 897.** Relating to Barbour County; to authorize the board of health to designate the environmental services for which a reasonable fee may be charged and to set the appropriate fee for each service.

Also:

**HB 914.** Relating to Escambia County; authorizing the sheriff to operate a jail store or commissary for inmates; and providing for the deposit, distribution, and auditing of monies earned.

Also:

**HB 966.** Relating to Cherokee County; providing further for the fee that the judge of probate may charge for celebrating the rites of marriage.

Also:

**HB 974.** Relating to the City of Sylacauga in Talladega County; authorizing the utilities board of the City of Sylacauga to establish, purchase, construct, maintain, lease and operate a television cable system and to furnish television cable and auxiliary service to the residents of the city and to customers of the board and in the surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by the board in connection with the systems; providing for the payment of the bonds and other evidences of indebtedness and the rights of holders thereof; and exempting the utilities board transacting business pursuant to this act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

**HB 628.** Relating to Chambers County; to provide the collec-



tion and disposition of a special recording fee in the office of the judge of probate.

Also:

**HB 906.** Relating to Shelby County, to amend Act 95-369, H. 826, 1995 Regular Session, to provide for the unlimited extension of an expense allowance for the tax assessor and tax collector.

Also:

**HB 954.** Relating to Chilton County; to amend Section 1 of Act 89-478, H. 811, 1989 Regular Session (Acts 1989, p. 1001); providing for a special recording fee for each document filed for record in the office of the judge of probate and to provide for the distribution of such fees.

Also:

**HB 972.** Relating to Shelby County; authorizing the City Council of the City of Helena to levy an additional ad valorem tax and providing for a referendum.

Also:

**HB 976.** Relating to Franklin County, to require the installation and maintenance of an improved system of recording, archiving, and retrieving documents affecting the title to property and other documents recorded in the office of the judge of probate; to provide the collection and disposition of a special recording fee; and to provide that said system shall constitute official and permanent records in Franklin County.

Also:

**HB 977.** Relating to Butler County; fixing the fee for an issuance of a pistol permit by the sheriff and providing for the disposition and use of the proceeds; and repealing Act 88-321, H. 732 of the 1988 Regular Session (Acts 1988, p. 486).

Also:

**HB 980.** Relating to Wilcox County; providing for an additional expense allowance and salary for the members of the Wilcox County Board of Education.

Also:

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**HB 989.** Relating to the City of Sumiton in Walker County and the 14th Judicial Circuit; to levy certain additional costs and charges of court, to provide that the costs and charges shall be placed in a special Hazardous Duty Pay Fund, to provide hazardous duty pay for all sworn City of Sumiton police officers and all City of Sumiton jailers; to provide for the City Council of Sumiton to increase the amount of hazardous duty payments; and to provide for implementation of this act.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 44.** Relating to subordinate officers and employees of the Legislature; providing for the election, appointment, number, duties, powers, compensation, classification, and supervision of these officers and employees; providing that the Offices of the Lieutenant Governor and the Speaker of the House of Representatives are distinct and specifying the powers of the Lieutenant Governor and the Speaker in the operation of their offices; amending Sections 29-1-9, 29-1-12, 29-2-22, 29-2-41, and 29-2-62 of the Code of Alabama 1975; repealing Chapter 4 of Title 29 of the Code of Alabama 1975 and adding a new chapter in lieu thereof relating to subordinate officers and employees of the Legislature; repealing Sections 29-2-7, 29-2-21, and 29-2-53 of the Code of Alabama 1975; and providing for a delayed effective date.

Also:

**HB 640.** To amend Sections 40-23-1, as amended by Act 96-887, 1996 Regular Session, 40-23-4, as amended by Act 96-544, 1996 Regular Session, 40-23-60, Code of Alabama 1975, and 40-23-62, as amended by Act 96-544, 1996 Regular Session, to specifically include canned computer software into the definitions of "sales" and "purchase"; to define

canned computer software to make it subject to sales tax and use tax; and to exempt computer software for use in research and experimentation from sales and use taxes.

Also:

**HB 949.** Relating to Geneva County; to provide for the election of the Geneva County Board of Education from five single-member districts; to define the boundaries of the districts; to include within those districts all of Geneva County except that area located within the corporate limits of the City of Geneva; to authorize the board to change the boundaries of the election districts; to establish procedures for making changes; and to repeal Act 393, H. 681, 1931 Regular Session (1931 Acts, p. 175).

Also:

**HB 685.** To alter and rearrange the boundary lines and corporate limits of the municipality of Anniston in Calhoun County to remove certain property from the corporate limits of the municipality.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

**HJR 540.** EXPRESSING REGRETS TO THE VICTIMS OF THE TUSKEGEE SYPHILIS STUDY.

GREG PAPPAS,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 20.** To make conditional appropriations from the Education Trust Fund for the fiscal year ending September 30, 1997, for capital outlay purposes for the replacement of or repairs to schools damaged by fire or natural disaster as follows: (1) to the Cullman County Board of Education: three million dollars (\$3,000,000); (2) to the Madison County Board of Education: one hundred fifty thousand dollars (\$150,000); (3) to the Tallapoosa County Board of Education: nine hundred thousand dollars (\$900,000); (4) to the Montgomery County Board of Education: four hundred thousand dollars (\$400,000); (5) to the Elmore County Board of Education: three hundred thousand dollars (\$300,000); and (6) to the Lamar County Board of Education: one hundred fifty thousand dollars (\$150,000); to make conditional appropriations from the Education Trust Fund for the fiscal year ending September 30, 1998 to the same boards of education for the same purposes in the event the conditional appropriations made by this act for the fiscal year ending September 30, 1997 are not released; and to make appropriations from the Education Trust Fund for the fiscal year ending September 30, 1999, to the same boards of education for the same purposes in the event the conditional appropriations made by this act for the fiscal years ending September 30, 1997 and 1998, are not released.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 191.** To amend Section 32-6-41 and Section 32-6-43, Code of Alabama 1975, to increase the number of doctors serving on the Department of Public Safety Medical Advisory Board; and to clarify that persons affected by licensing decisions of the Alabama Department of Pub-

lic Safety may obtain copies of reports or records used by the department in making licensing decisions.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 379.** To amend Section 36-16-8 of the Code of Alabama 1975, relating to the Property Inventory Control Division of the Office of the State Auditor; to reenact the provisions to exempt the property transferred to the Department of Archives and History from being disposed of, transferred, assigned, or entrusted to any other state department, agency, or employee; and to reenact the provisions to exclude historical materials in the custody of the Department of Archives and History from the biannual inventory by the State Auditor.

GREG PAPPAS,  
Clerk.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

**SJR 166.** CREATING THE UNAUTHORIZED SCRAP TIRE PILE JOINT INTERIM LEGISLATIVE COMMITTEE.

PAT LINDSEY,  
Chairperson.

### SIGNING OF RESOLUTIONS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 66.** To amend Section 32-6-360 of the Code of Alabama 1975, relating to distinctive license tags or plates bearing the words "Fraternal Order of Police"; and to provide that only active members of the Fraternal Order of Police would be eligible to receive the distinctive license tags.

Also:

**SB 349.** To amend Sections 34-40-3, 34-40-8, and 34-40-14, Code of Alabama 1975, relating to the Alabama Board of Athletic Trainers; providing for the membership on the board; providing for the duties and responsibilities of the board; providing for the employment of certain individuals; providing for reimbursement of expenses; requirements for the renewal of license; and to authorize grants to develop and promote athletic training programs and continuing education programs for athletic trainers.

Also:

**SB 657.** Providing for the purchase of prior service credit in the Judicial Retirement Fund subject to certain conditions by a judge who has returned to membership in the retirement fund after previously withdrawing his or her membership contributions from the retirement fund.

PAT LINDSEY,  
Chairperson.

## SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

## FURTHER CONSIDERATION OF HB 119

The Senate proceeded to further consideration of the Bill, HB 119. The question was on the Sanders substitute motion that the Senate concur in and adopt the Conference Committee Report.

**FURTHER CONSIDERATION OF CLOTURE PETITION**

The Senate proceeded to further consideration of the Cloture Petition relative to the Bill, HB 119, to cease debate at 6:30 P.M.

Which was adopted.

Yeas 24 Nays 2

Yeas:

Senators:

Amari, Armistead, Bailey, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, McClain, Mitchell, Sanders, Smith, Smitherman, Steele, and Windom -24

Nays:

Senators:

Dial and Poole

- 2

**FURTHER CONSIDERATION OF HB 119**

The Senate proceeded to further consideration of the Bill, HB 119. The question was on the Sanders substitute motion that the Senate concur in and adopt the Conference Committee Report, which motion was adopted.

Yeas 29 Nays 4

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, McClain, Mitchell, Mitchem, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -29

Nays:

Senators:

Adams, Dial, Little, and Poole

- 4

**RESOLUTION**

Senator Windom requested and received permission to suspend the Rules in order to offer the following Senate Joint Resolution, to-wit:

**SJR 170. COMMENDING THE GRAND BAY HIGH SCHOOL TIGERS BASEBALL TEAM FOR OUTSTANDING ACHIEVEMENT.**

WHEREAS, highest commendation is herein accorded the Grand Bay Tigers Baseball Team as 4A State Baseball Champions; and

WHEREAS, in a spectacular display of talent and will, these exceptional young athletes shut out Fayette County 9-0 to capture their first-ever 4A title; and

WHEREAS, the Tigers achieved this outstanding feat under the skillful leadership of Head Coach Bryan Giles, ably assisted by Assistant Coaches Tom Wheat and Craig Moss; and

WHEREAS, sharing in the glory of their accomplishment were team members, Dwayne Vickers, Rodney Morgan, Nick Sims, David Schmierer, Carlos Wells, Travis Taylor, Chris Welborn, Josh Cain, Chad Perkins, Chris Beech, Kevin Daughtry, Mario Taylor, Buddy Hamilton, Tony Neal, Landon Deakle, Stephen Cambell, Mark Woodyard, and Brian Ladnier; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That highest commendation and heartiest congratulations are herein extended to Head Coach Bryan Giles, his staff, and the Grand Bay Tigers on the 1997 Class 4A State Baseball Championship.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided as a token of our esteem and best wishes for every future success.

On motion of Senator Windom, the Rules were suspended and the Resolution was adopted by the Senate.

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, HB 345.

Senator Sanders, B.I.R., HB 345, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0



**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 345.** To provide for a permanent Joint Legislative Oversight Committee on Community Services Grants.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 109.

Senator Sanders, B.I.R., HB 109, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 109.** To make an appropriation of \$446,331 from the Education Trust Fund for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1998, and to require

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an operations plan prior to release of any funds.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 110.

Senator Sanders, B.I.R., HB 110, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 110.** To make an appropriation of \$208,287 from the Education Trust Fund for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 108.

Senator Sanders, B.I.R., HB 108, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 108.** To make an appropriation of \$421,715 from the Education Trust Fund for the support and maintenance of Talladega College for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 93.

Senator Sanders, B.I.R., HB 93, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 93.** To make an appropriation of \$4,007,933 from the Education Trust Fund for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

was taken up.

Senator Sanders offered the following substitute for the Bill, HB 93, to-wit:

**SUBSTITUTE FOR HB 93**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$4,132,933 from the Education Trust Fund for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$4,132,933 to Tuskegee University from the Education Trust Fund for the support and maintenance of said institu-

tion: provided, that of said appropriation, the sum of \$125,000 shall be expended for the Entrepreneurship Institute-Tuskegee University. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. The Department of Examiners of Public Accounts is hereby authorized and empowered to audit the records of the said institution to the same extent, degree, and scope as its audits of public educational institutions, and said institution shall submit to the Legislature each year before any subsequent appropriation requests may be considered by the Legislature, a full accounting of its receipts, disbursements, assets, liabilities, and other resources as of the date of the close of its immediately preceding academic year.

Section 3. Prior to the release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of this report.

Section 4. This act shall become effective October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 93, as thus amended, was read a third time at length and passed.

Yeas 32 Nays 1

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-32

Nay: Senator Adams

- 1

### BUDGET ISOLATION RESOLUTION

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, HB 105.

Senator Sanders, B.I.R., HB 105, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 105.** To make an appropriation of \$23,262,924 from the Education Trust Fund, an appropriation of \$2,751,000 from the Driver Impaired Trust Fund, and an appropriation of \$85,463,872 from Federal and Local Funds to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following amendment to the Bill, HB 105, to-wit:

### AMENDMENT TO HB 105

Amend HB 105 on Page 3, line 14, by inserting the following new Section 2 and renumbering all subsequent sections accordingly:

“Section 2. In addition to the above appropriation to the Department of Rehabilitation Services, there is hereby conditionally appropriated the sum of \$2,326,292 from the Education Trust Fund to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998. The appropriation shall be conditioned upon the enactment of legislation to increase the cigarette tax as proposed in the 1997 Regular Session.”

On motion of Senator Sanders, said amendment was laid on the table.

Senator Sanders then offered the following substitute for the Bill, HB 105, to-wit:

**SUBSTITUTE FOR HB 105**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$23,262,924 from the Education Trust Fund, an appropriation of \$2,751,000 from the Driver Impaired Trust Fund, and an appropriation of \$85,463,872 from Federal and Local Funds to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998; and to make a conditional appropriation of \$2,326,292 to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998, the following amounts from the Education Trust Fund (ETF), the Driver Impaired Trust Fund, and Federal and Local Funds:

REHABILITATION SERVICES,  
DEPARTMENT OF:

	ETF	Federal and Local Funds	Total
(a) Direct Client Services for the Handicapped Pro- gram .....			111,477,796
The proposed spending plan for the ETF moneys included in the above program is as follows:			
Homebound .....	3,071,067		
Hemophilia .....	1,100,000		
Children's Rehabilitation Services .....	6,570,551		
Of the above appropriation the agency will pay to each hospital the standard per diem paid by the state Med- icaid agency for services re- lating to scoliosis and spina bifida medical care.			

Rehabilitation Ser-			
vices .....	9,430,442		
Of the above appropriation			
to Rehabilitation Services,			
\$250,000 shall be used for			
the Deaf Support Service.			
Early Intervention Pro-			
gram .....	3,090,864		
SOURCE OF FUNDS:			
(1) ETF .....	23,262,924		
(2) Driver Impaired Trust			
Fund .....		2,751,000	
(3) Federal and Local			
Funds .....		85,463,872	
Total Department of Re-			
habilitation Services .....	23,262,924	88,214,872	111,477,796

Section 2. In addition to the above appropriation to the Department of Rehabilitation Services, there is hereby conditionally appropriated the sum of \$2,326,292 from the Education Trust Fund to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998 conditioned upon the availability of funds in the Education Trust Fund and the approval of the Governor.

Section 3. The above appropriation is made for educational purposes which shall include but shall not be limited to the following: (a) Providing medical, paramedical, counseling and educational services (instruction in the training of disabled persons) to crippled children and their families. The Legislature recognized the educational nature of such services in Section 16-38-7 of the Code of Alabama 1975; (b) Providing vocational rehabilitation through a state-federal initiative for the purpose of teaching independent living skills in order to return the clients to the workforce; (c) Providing educational services to severely disabled clients which includes academic tutoring, teaching of independent living skills, and providing equipment (wheelchairs and ramps) to allow school-age children to attend school.

Section 4. The Department of Rehabilitation Services is hereby authorized to make a transfer to the State Personnel Department in the amount authorized in the General Appropriation Bill for fiscal year 1997-98.

Section 5. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective on October 1, 1997.

Which was adopted.



Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 105, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 104.

Senator Sanders, B.I.R., HB 104, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 104.** To make an appropriation of \$381,534 from the State

General Fund to the Space Science Exhibit Commission for the fiscal year ending September 30, 1998, for educational purposes.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 104, to-wit:

**SUBSTITUTE FOR HB 104**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$381,534 from the Education Trust Fund to the Space Science Exhibit Commission for the fiscal year ending September 30, 1998, for educational purposes.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of three hundred eighty-one thousand five hundred thirty-four dollars (\$381,534) to the Space Science Exhibit Commission from the Education Trust Fund for the Special Services Program.

Section 2. The above appropriation is for educational purposes which shall include but shall not be limited to the operation of the Space Camp Program and educating the general public in the various aspects of space exploration through the display of space hardware and other visual exhibits and training in space exploration.

Section 3. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made.

Section 4. This Act shall become effective October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

And said Bill, HB 104, as thus amended, was read a third time at length and passed.

Yeas 33 Nays 0

Yeas:

Senators: •

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -33

Nays: - 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

**SB 437.** To amend Section 34-21-2, Code of Alabama 1975, to increase the membership on the Alabama Board of Nursing and to provide for the appointment of a consumer member.

Also:

**SB 476.** To make it a crime to solicit a child by computer for the purposes of committing a sexual act; to make it a crime to transmit by means of computer communication obscene material to a child; to provide for exceptions; and to provide for penalties.

GREG PAPPAS,  
Clerk.

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said

committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 191.** To amend Section 32-6-41 and Section 32-6-43, Code of Alabama 1975, to increase the number of doctors serving on the Department of Public Safety Medical Advisory Board; and to clarify that persons affected by licensing decisions of the Alabama Department of Public Safety may obtain copies of reports or records used by the department in making licensing decisions.

Also:

**SB 379.** To amend Section 36-16-8 of the Code of Alabama 1975, relating to the Property Inventory Control Division of the Office of the State Auditor; to reenact the provisions to exempt the property transferred to the Department of Archives and History from being disposed of, transferred, assigned, or entrusted to any other state department, agency, or employee; and to reenact the provisions to exclude historical materials in the custody of the Department of Archives and History from the biannual inventory by the State Auditor.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, HB 745.

Senator Sanders, B.I.R., HB 745, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,

Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 745.** To make an appropriation of \$261,317 from the State General Fund to the Governor's Commission on Physical Fitness for the fiscal year ending September 30, 1998.

was taken up.

The Standing Committee on Economic Expansion and Trade reported the following substitute for the Bill, HB 745, to-wit:

**SUBSTITUTE FOR HB 745**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$261,317 from the Education Trust Fund to the Governor's Commission on Physical Fitness for the fiscal year ending September 30, 1998.

On motion of Senator Sanders, said substitute was laid on the table.

Senator Sanders then offered the following substitute for the Bill, HB 745, to-wit:

**SUBSTITUTE FOR HB 745**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$276,317 from the Education Trust Fund to the Governor's Commission on Physical Fitness and to earmark \$10,000 to Montgomery Wheelchair Sports Club, Inc. and \$5,000 to the West End Sports Association for the fiscal year ending September 30, 1998.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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Section 1. There is hereby appropriated to the Governor's Commission on Physical Fitness for the fiscal year ending September 30, 1998, the sum of \$276,317 out of the funds in the Education Trust Fund.

Of the above appropriation \$10,000 shall be expended for the Montgomery Wheelchair Sports Club, Inc. and \$5,000 shall be expended for the West End Sports Association.

Section 2. The above appropriation is made for educational purposes which shall include but shall not be limited to maintaining liaison with the State Department of Education, boards of education and private and parochial schools; advising on such programs of physical fitness; promoting physical fitness education for the mentally retarded and physically handicapped; and providing for physical educational facilities.

Section 3. The Governor's Commission on Physical Fitness is hereby authorized to make a transfer to the State Personnel Department in the amount authorized in the General Appropriation Bill for fiscal year 1997-98.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 745, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 111.

Senator Sanders, B.I.R., HB 111, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

**HB 111.** To make an appropriation of \$35,750,373 from the Education Trust Fund and an appropriation of \$727,670 from Federal and Local Funds to the Department of Youth Services for the fiscal year ending September 30, 1998.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 94.

Senator Sanders, B.I.R., HB 94, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 94.** To make an appropriation of \$347,805 from the State General Fund to the AIDS Task Force of Alabama, Incorporated, for the fiscal year ending September 30, 1998, for educational programs and services to help prevent the spread of AIDS and to require an operations plan and an audited financial statement.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 94, to-wit:

**SUBSTITUTE FOR HB 94**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$295,305 from the Education Trust Fund and \$52,500 from the State General Fund to the AIDS Task Force of Alabama, Incorporated, for the fiscal year ending September 30, 1998, for educational programs and services to help prevent the spread of AIDS and to require an operations plan and an audited financial statement.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of two hundred ninety-five thousand three hundred five dollars (\$295,305) from the Education Trust Fund and fifty-two thousand five hundred dollars (\$52,500) from the State General Fund to the AIDS Task Force of Alabama, Incorporated, for educational programs and services to help prevent the spread of AIDS. Funds appropriated herein are for disbursement to the various AIDS prevention community-based organizations in Alabama according to a plan to be developed by the Board of Directors of the AIDS Task Force of Alabama, Incorporated. In addition, the appropriations made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to the release of any funds appropriated herein, an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance and an operations plan for fiscal year 1997-98 must be developed by the Board of Directors of the AIDS Task Force of Alabama, Incorporated, submitted to and approved by the State Health Department and the HIV Education Advisory Board and then forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. It is the intent of the legislature that the state Medicaid Commissioner should work with the AIDS Task Force of Alabama, Incorporated, in applying for federal matching dollars for part of the appropriation contained in this act.

Section 4. The HIV Education Advisory Board shall consist of six members as follows: the state health officer or his designee; one assistant state health officer appointed by the state health officer; one physician appointed by the Infectious Disease Society of Alabama who is selected from a list of physicians who routinely treat HIV infection; two representatives appointed by the American Red Cross of which one must be a health educator; and, the Chairperson of the AIDS Task Force of Alabama community-based organization committee.

Section 5. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

And said Bill, HB 94, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 95.

Senator Sanders, B.I.R., HB 95, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 95.** To make an appropriation of \$147,000 from the State General Fund to the Black Belt Human Resource Development Center for the fiscal year ending September 30, 1998, and to require an operations

plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 95, to-wit:

**SUBSTITUTE FOR HB 95**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$47,000 from the Education Trust Fund to the Black Belt Human Resource Development Center and \$60,000 to the Twenty First Century Youth Leadership Training Project for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of forty-seven thousand dollars (\$47,000) to the Black Belt Human Resource Development Center from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$60,000 from the Education Trust Fund to the Twenty First Century Youth Leadership Training Project for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 3. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 4. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 95, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 197.

Senator Sanders, B.I.R., HB 197, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 197.** To make an appropriation of \$400,000 from the State

General Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 197, to-wit:

**SUBSTITUTE FOR HB 197**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$363,804 from the Education Trust Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Sanders, said substitute was laid on the table.

Senator Sanders then offered the following substitute for the Bill, HB 197, to-wit:

**SUBSTITUTE FOR HB 197**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$391,304 from the Education Trust Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$391,304 to Camp ASCCA in Jackson Gap, Alabama, from the Education Trust Fund for support and maintenance of said program.

Of the above appropriation to Camp ASCCA of \$391,304, the sum of \$2,500 shall be allotted to Kids Kingdom.

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In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 197, as thus amended, was read a third time at length and passed.

Yeas 34 Nays 0

Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-34

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to sus-

pend the Rules in order to bring up the Bill, HB 102.

Senator Sanders, B.I.R., HB 102, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 102.** To make an appropriation of \$1,200,000 from the State General Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 102, to-wit:

### SUBSTITUTE FOR HB 102

#### A BILL TO BE ENTITLED AN ACT

To make an appropriation of \$950,000 from the Education Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$950,000 to the Children's Hospital in Birmingham, Alabama, from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein

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shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year ending September 30, 1998, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 102, as thus amended, was read a third time at length and passed.

Yeas 32 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-32

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 401.

Senator Sanders, B.I.R., HB 401, adopted.

Yeas 30 Nays 0



Yeas:

Senators:

Adams, Amari, Bailey, Barron, Bedford, Clay, Davidson, Denton, Dial, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -30

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 401.** To make an appropriation of \$932,793 from the State General Fund to the Children's and Women's Hospital in Mobile, Alabama, for the fiscal year ending September 30, 1998; and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 401, to-wit:

### **SUBSTITUTE FOR HB 401**

#### **A BILL TO BE ENTITLED AN ACT**

To make an appropriation of \$682,793 from the Education Trust Fund to the Children's and Women's Hospital in Mobile, Alabama, for the fiscal year ending September 30, 1998 and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$682,793 to the Children's and Women's Hospital in Mobile, Alabama, from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill

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for fiscal year ending September 30, 1998, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 401, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 613.

Senator Sanders, B.I.R., HB 613, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

**HB 613.** To make an appropriation of \$150,000 from the State General Fund to the Children's Hands-on Museum for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 613, to-wit:

**SUBSTITUTE FOR HB 613**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$120,000 from the Education Trust Fund to the Children's Hands-on Museum for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$120,000 to the Children's Hand-on Museum from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year ending September 30, 1998, an operations plan for fiscal

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year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 613, as thus amended, was read a third time at length and passed.

Yeas 26 Nays 1

Yeas:

Senators:

Adams, Armistead, Bedford, Biddle, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lipscomb, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, and Windom -26

Nay: Senator Dial

- 1

Senator Poole moved that the Senate reconsider the vote by which the Bill, HB 613, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 195.

Senator Sanders, B.I.R., HB 195, adopted.

Yeas 27 Nays 0

Yeas:

Senators:

Amari, Armistead, Bailey, Barron, Bedford, Davidson, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -27

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 195.** To make an appropriation of \$375,000 from the State General Fund to the Birmingham Children's Theatre for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 195, to-wit:

#### **SUBSTITUTE FOR HB 195**

##### **A BILL TO BE ENTITLED AN ACT**

To make an appropriation of \$300,000 from the Education Trust Fund to the Birmingham Children's Theatre for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Sanders, said substitute was laid on the table.

Senator Sanders then offered the following substitute for the Bill, HB 195, to-wit:

#### **SUBSTITUTE FOR HB 195**

##### **A BILL TO BE ENTITLED AN ACT**

To make an appropriation of \$350,000 from the Education Trust

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Fund to the Birmingham Children's Theatre for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$350,000 to the Birmingham Children's Theatre from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year ending September 30, 1998, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

And said Bill, HB 195, as thus amended, was read a third time at length and passed.

Yeas 30 Nays 1

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Clay, Davidson, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sand-

ers, Smith, Smitherman, Steele, Waggoner, and Windom -30

Nay: Senator Dial - 1

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Kennedy, Box, Buskey, Clark (W), Turner, Dean, Mitchell, Crigler, Knight (J), Pringle, Gaston, Allen, Baker, Bandy, Black (L), Black (M), Boyd, Burke, Carns, Carothers, Carter, Clark (J), Clouse, Collins, Curry, Dolbare, Drake, Dukes, Flowers, Ford, Fuller, Gaines, Galliher, Gipson, Graham, Guin, Hall (A), Hall (L), Hamilton, Hammett, Haney, Hawk, Hawkins, Hayden, Hill, Hilliard, Hinshaw, Hogan, Holmes, Hooper, Houston, Jackson, Johnson (E), Johnson (R), Jorgensen, Knight (A), Laird, Layson, Letson, Lindsey, Maull, McAdory, McClammy, McDaniel, McKee, McMillan, Melton, Millican, Minnifield, Moore, Morrison, Morrow, Morton, Murphree, Newton (C), Newton (D), Page, Papucci, Parker (P), Parker (T), Payne, Penry, Perdue, Petelos, Reed, Robinson, Rogers (J), Rogers (M), Sanderford, Sanderson, Seibenhener, Sims, Smith, Spratt, Starkey, Thomas (D), Thomas (J), Townsend, Turnham, Vance, Venable, Warren, White, Willis and Wren:

**HJR 550.** CONGRATULATING ALEXIS HERMAN UPON HER CONFIRMATION AS UNITED STATES SECRETARY OF LABOR.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Sanders, the Rules were suspended and the Resolution, HJR 550, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to sus-

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pend the Rules in order to bring up the Bill, HB 128.

Senator Sanders, B.I.R., HB 128, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 128.** To make an appropriation of \$45,000 from the Education Trust Fund to the Kate Duncan Smith DAR School for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 126.

Senator Sanders, B.I.R., HB 126, adopted.

Yeas 35 Nays 0



Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 126.** To make an appropriation of \$50,000 from the Education Trust Fund to Educational Resources, Inc. for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 126, to-wit:

### **SUBSTITUTE FOR HB 126**

#### **A BILL TO BE ENTITLED AN ACT**

To make an appropriation of \$100,000 from the Education Trust Fund to Educational Resources, Inc. for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$100,000 to Educational Resources, Inc. from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill

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for fiscal year ending September 30, 1998, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

And said Bill, HB 126, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 125.

Senator Sanders, B.I.R., HB 125, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

**HB 125.** To make an appropriation of \$100,000 from the State General Fund to the Epilepsy Foundation of North and Central Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 125, to-wit:

**SUBSTITUTE FOR HB 125**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$100,000 from the Education Trust Fund to the Epilepsy Foundation of North and Central Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of one hundred thousand dollars (\$100,000) to the Epilepsy Foundation of North and Central Alabama from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill

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for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

And said Bill, HB 125, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 196.

Senator Sanders, B.I.R., HB 196, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

**THE BILL:**

**HB 196.** To make an appropriation to the Department of Public Health in the amount of \$4,714,831 from the State General Fund for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1998.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute, as amended, for the Bill, HB 196, to-wit:

**SUBSTITUTE, AS AMENDED, FOR HB 196**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation to the Department of Public Health in the amount of \$4,714,831 from the Education Trust Fund, of which \$150,000 is a conditional appropriation, for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1998.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated to the Department of Public Health for the fiscal year ending September 30, 1998, the sum of \$4,714,831 from the Education Trust Fund to be used as follows:

(1) For funding Birmingham Regional Medical Services System, \$360,100;

(2) For funding East Alabama Emergency Medical Services, Inc., \$360,100;

(3) For funding North Alabama Emergency Medical Services, Inc., \$360,100;

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(4) For funding Southeast Alabama Emergency Medical Services, Inc., \$360,100;

(5) For funding Southwest Alabama Emergency Medical Services, Inc., \$360,100;

(6) For funding West Alabama Emergency Medical Services, Inc., \$360,100;

(7) For funding special scientific studies and data records for emergency medical services providers to evaluate effectiveness of educational programs at all levels, and regional equipment and training grant funds for emergency medical services, \$559,594;

(8) For improvement in emergency medical services through services offered at the state level, \$215,722;

(9) For emergency medical services education, \$1,778,915 as provided in Section 3 herein.

Of the above appropriation, \$150,000 is conditioned upon the availability of funds in the Education Trust Fund, the recommendation of the Director of Finance, and the approval of the Governor. In the event that the conditional appropriation is not made absolute, the appropriation in item 7 above shall be reduced by the amount of the conditional not released.

Section 2. The amounts appropriated under subsections (1) through (6) of Section 1 shall be used to fund contracted services to permit operation and maintenance of the agencies named and for the purchase of instructional supplies and new instructional equipment by those agencies. The amount appropriated under subsection (7) of Section 1 that is not disbursed for the funding of special scientific studies and data records for emergency medical services providers to evaluate the effectiveness of educational programs at all levels shall be disbursed by contract with the regional agencies named for equipment and training grant funds and shall be placed in segregated accounts to be used exclusively for grants for reimbursement of the cost of equipment, tuition, and expenses for training by emergency medical services providers. Equipment and training grant funds shall be allocated to the agencies named based upon the following formula: 50 percent to be divided equally among the agencies named; 25 percent to be apportioned among the agencies based upon the number of square miles in the geographic area represented by each agency; and 25 percent to be apportioned among the agencies based upon the population of the area represented by each agency according to the latest federal census. Any funds not contracted for and expended for the purposes of this act shall revert to the appropriate fund at the end of the fiscal year.

Section 3. The Alabama Emergency Medical Services Education Commission (hereinafter referred to as the Commission) shall direct the expenditure of the funds that are appropriated for such purpose by the Legislature by making grants to state junior colleges, state technical colleges, and other public institutions of higher learning for the purposes of providing emergency medical services education. For the fiscal year ending September 30, 1998, the Commission shall direct the expenditure of \$1,778,915 for the purposes of this section. To be eligible for a grant from the Commission, an institution shall be certified by the Alabama Department of Public Health as having an emergency medical services primary education program whose graduates are eligible to be examined for state licensure as emergency medical technicians at the EMT-Basic, EMT-Intermediate, or EMT-Paramedic level or a combination thereof and shall be subject to all conditions that in the view of the Commission are necessary to assure that grant funds are expended for emergency medical services education purposes. The Commission may require financial statements as a condition of grant acceptance.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective on October 1, 1997, after its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 196, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 124.

Senator Sanders, B.I.R., HB 124, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 124.** To make an appropriation of \$20,000 from the State General Fund to the Exploreum Museum of Discovery for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 124, to-wit:

### **SUBSTITUTE FOR HB 124**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$20,000 from the Education Trust



Fund to the Exploreum Museum of Discovery for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Sanders, said substitute was laid on the table.

Yeas 21 Nays 1

Yeas:

Senators:

Armistead, Bailey, Barron, Biddle, Butler, Clay, Dixon, Escott-Russell, Figures, Ghee, Hale, Langford, Lipscomb, Little, McClain, Mitchell, Myers, Sanders, Smith, Smitherman, and Waggoner -21

Nay: Senator Adams

- 1

Senator Sanders then offered the following substitute for the Bill, HB 124, to-wit:

### **SUBSTITUTE FOR HB 124**

#### **A BILL TO BE ENTITLED AN ACT**

To make an appropriation of \$70,000 from the Education Trust Fund to the Exploreum Museum of Discovery for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$70,000 to the Exploreum Museum of Discovery from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

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Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 124, as thus amended, was read a third time at length and passed.

Yeas 24 Nays 3

Yeas:

Senators:

Amari, Armistead, Barron, Biddle, Butler, Clay, Denton, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lipscomb, McClain, Mitchell, Mitchem, Myers, Sanders, Smith, Smitherman, Waggoner, and Windom -24

Nays:

Senators:

Adams, Dial, and Little

- 3

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 437.** To amend Section 34-21-2, Code of Alabama 1975, to increase the membership on the Alabama Board of Nursing and to provide for the appointment of a consumer member.

Also:

**SB 476.** To make it a crime to solicit a child by computer for the

purposes of committing a sexual act; to make it a crime to transmit by means of computer communication obscene material to a child; to provide for exceptions; and to provide for penalties.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, HB 127.

Senator Sanders, B.I.R., HB 127, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 127.** To make an appropriation of \$1,180,196 from the State General Fund to the East Alabama Child Development Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education re-

ported the following substitute for the Bill, HB 127, to-wit:

**SUBSTITUTE FOR HB 127**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$1,180,196 from the Education Trust Fund to the East Alabama Child Development Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of one million one hundred eighty thousand one hundred ninety-six dollars (\$1,180,196) to the East Alabama Child Development Center from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year ending September 30, 1998, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

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And said Bill, HB 127, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 123.

Senator Sanders B.I.R., HB 123, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 123.** To make an appropriation of \$307,615 from the State General Fund to the Helen Keller Eye Research Foundation for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 123, to-wit:

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**SUBSTITUTE FOR HB 123**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$307,615 from the Education Trust Fund to the Helen Keller Eye Research Foundation for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of three hundred seven thousand six hundred fifteen dollars (\$307,615) to the Helen Keller Eye Research Foundation from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 123, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 425.

Senator Sanders B.I.R., HB 425, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BILLS ON THIRD READING RESUMED

THE BILL:

**HB 425.** To make an appropriation of \$250,000 from the Education Trust Fund to the Alabama Humanities Foundation for the fiscal year ending September 30, 1998, and to require an audited financial statement and operations plan prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 425, to-wit:

**SUBSTITUTE FOR HB 425**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$150,000 from the Education Trust Fund to the Alabama Humanities Foundation for the fiscal year ending September 30, 1998, and to require an audited financial statement and operations plan prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$150,000 to the Alabama Humanities Foundation from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 425, as thus amended, was read a third time at length and passed.

Yeas 24 Nays 2

Yeas:

Senators:

Armistead, Barron, Biddle, Butler, Clay, Davidson, Denton, Dixon, Escott-



Russell, Figures, Ghee, Hale, Langford, Little, McClain, Mitchell, Myers, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-24

Nays:

Senators:

Adams and Dial

- 2

### BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 129.

Senator Sanders, B.I.R., HB 129, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

### BILLS ON THIRD READING RESUMED

#### THE BILL:

**HB 129.** To make an appropriation of \$129,081 from the Education Trust Fund to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 130.

Senator Sanders, B.I.R., HB 130, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 130.** To make an appropriation of \$146,250 from the State General Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 130, to-wit:

**SUBSTITUTE FOR HB 130**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$126,250 from the Education Trust Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending

September 30, 1998, the sum of \$126,250 to the Central Alabama Opportunities Industrialization Center from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year ending September 30, 1998, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

And said Bill, HB 130, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

## BUDGET ISOLATION RESOLUTION

Senator Sanders then requested and received permission to sus-

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pend the Rules in order to bring up the Bill, HB 131.

Senator Sanders, B.I.R., HB 131, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 131.** To make an appropriation of \$1,756,112 from the Education Trust Fund for the support and maintenance of the sickle cell education program for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.  
was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 131, to-wit:

**SUBSTITUTE FOR HB 131**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$1,482,112 from the Education Trust Fund for the support and maintenance of the sickle cell education program for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

On motion of Senator Sanders, said substitute was laid on the table.

Senator Sanders then offered the following substitute for the Bill, HB 131, to-wit:

**SUBSTITUTE FOR HB 131**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$1,482,112 from the Education Trust Fund for the support and maintenance of the sickle cell education program and to make a conditional appropriation of \$134,000 from the Education Trust Fund to the UAB Comprehensive Sickle Cell Center for the fiscal year ending September 30, 1998; and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$1,482,112 from the Education Trust Fund for the support and maintenance of the sickle cell education program to be allocated as follows:

- (a) North Central Alabama Sickle Cell Foundation, Inc.  
(formerly known as Jefferson County Sickle Cell Detection  
Committee, Inc.) ..... \$270,420
- (b) Sickle Cell Disease Association of Gulf Coast, Ala-  
bama ..... \$251,417
- (c) Sickle Cell Foundation of Greater Montgomery,  
Inc. .... \$149,363
- (d) Southeast Alabama Sickle Cell Association ..... \$174,565
- (e) Tri-County West Central Alabama Sickle Cell Anemia  
Association, Inc. .... \$111,335
- (f) North Alabama Sickle Cell Program ..... \$163,317
- (g) West Alabama Sickle Cell Program ..... \$64,500
- (h) Children's Hospital of Birmingham ..... \$48,632
- (i) Children's and Women's Hospital - Comprehensive Sickle  
Cell Center ..... \$243,563
- (j) Sickle Cell Oversight and Regulatory Commission .... \$5,000

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In addition, the appropriations made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. There is conditionally appropriated from the Education Trust Fund to the UAB Comprehensive Sickle Cell Center the sum of \$134,000 for the fiscal year ending September 30, 1998. The appropriation made in this section is conditioned upon the availability of funds in the Education Trust Fund, the recommendation of the Director of Finance, and the approval of the Governor.

Section 3. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 4. This act shall become effective October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 131, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

**BUDGET ISOLATION RESOLUTION**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill, HB 198.

Senator Sanders, B.I.R., HB 198, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 198.** To make an appropriation of \$4,498,566 from the Education Trust Fund to the State Board of Education for the support and maintenance of special programs for special education for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute, as amended, for the Bill, HB 198, to-wit:

**SUBSTITUTE, AS AMENDED, FOR HB 198**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$3,548,566 from the Education Trust Fund to the State Board of Education for the support and maintenance of special programs for special education for the fiscal year ending September 30, 1998; to require an operations plan and audited financial statement prior to release of any funds; and to make a conditional appropriation of \$950,000 conditioned on the enactment of legislation increasing the cigarette tax as proposed in the 1997 Regular Session.

On motion of Senator Sanders, said substitute, as amended, was laid on the table.

Senator Sanders then offered the following substitute for the Bill, HB 198, to-wit:

**SUBSTITUTE FOR HB 198**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$4,196,674 from the Education Trust Fund to the State Board of Education for the support and maintenance of special programs for special education for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$4,196,674 to the State Board of Education from the Education Trust Fund for special programs for special education to be distributed by the State Board of Education for support and maintenance of the programs as follows:

- (a) Butler Activity and Training Center for the Mentally Retarded in Greenville ..... 45,000
- (b) Hope Haven School in Colbert County ..... 46,201
- (c) Marion Bankhead Grant Center - ARC of Walker County ..... 71,000
- (d) Vaughn-Blumberg Center for the Developmentally Disabled ..... 64,302
- (e) ARC of Jefferson County ..... 173,112
- (f) Merle Wallace Purvis Center ..... 66,250
- (g) McGraw Activity Center ..... 170,000
- (h) Dallas County Day Care and Training Center-Cahaba Center for Mental Retardation ..... 43,226



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(i) North Talladega County Association for Retarded Citizens, Inc. ....	37,151
(j) South Talladega County Association for Retarded Citizens, Inc. ....	37,151
(k) Vivian B. Adams School .....	267,595
(l) McInnis School of Montgomery .....	407,309
(m) Alan Cott School .....	80,253
(n) Madison County Opportunities Center .....	85,000
(o) Hope Project, formerly the Madison Park Hope Center .....	67,443
(p) McKinney Learning Center .....	30,363
(q) Valley Haven School .....	125,000
(r) Randolph County Learning Center .....	31,721
(s) Louise Smith Development Center .....	60,000
(t) Jackson County ARC Achievement Center .....	60,000
(u) DeKalb County Association for Retarded Citizens .....	60,000
(v) Mobile ARC .....	97,000
(w) Cullman County Center for the Developmentally Disabled .....	160,000
(x) Blount County ARC .....	35,000
(y) Clark Smeltzer Training Center of Gadsden .....	28,750
(z) Morgan County ARC .....	40,000
(aa) Marshall County ARC .....	30,000
(bb) Baldwin County ARC .....	30,000

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(cc) Winston/Marion ARC .....	50,000
(dd) Adam Bishop Center - Jasper .....	30,250
(ee) Barbour County ARC .....	30,000
(ff) Bertie Thornton Center/Limestone County ARC ....	46,000
(gg) St. Clair County ARC .....	30,000
(hh) Clarke County ARC .....	30,000
(ii) East Elmore ARC .....	30,000
(jj) ARC of Calhoun/Cleburne County .....	85,000
(kk) ARC of Shelby County .....	30,000
(ll) EXCEL, Inc. ....	60,000
(mm)Fayette County/Lamar County ARC .....	30,000
(nn) Sara Dinsmore ARC Training Facility .....	30,000
(oo) Duke School for Adult Mentally Retarded .....	35,000
(pp) Montgomery Institute of Neurological Develop- ment .....	33,757
(qq) Achievement Center, Opelika .....	17,500
(rr) Brierfield Learning Center, Bibb County .....	19,900
(ss) Calhoun County Community - "EDUCATION PAR EXCELLENCE" .....	102,877
(tt) Epic School, Birmingham .....	36,400
(uu) ECHO FOUNDATION .....	47,500
(vv) Cedar Grove Preparatory School Inc. ....	71,112
(ww)Dee Day School-Cherokee County .....	35,000
Of the \$35,000 appropriated to Dee Day School, the amount of \$12,000 shall be expended at the Cherokee	

County Education Center for Retarded Citizens.

(xx) Jackson-DeKalb County Special School Northeast Alabama State Community College .....	60,000
(yy) Russellville City School - Multi-Handicapped .....	37,151
(zz) North Alabama Center for Educational Excellence .....	18,000
(aaa) Quest for Excellence .....	60,000
(bbb) Lee Scan of Lee County .....	21,400
(ccc) Burkett Center of Jefferson County .....	40,000
(ddd) T & T Daycare of Uniontown .....	30,000
(eee) Southwest School for Deaf and Blind .....	376,000
(fff) Wallace Museum .....	110,000
(ggg) Augusta Evans Special School .....	20,000
(hhh) Coffee County Board of Education- Project Independence .....	30,000
(iii) Children's Village .....	35,000
(jjj) Etowah County/Gadsden ARC .....	30,000

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan including goals and measurable performance indicators for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance and to the Legislative Fiscal Office. The performance indicators may include such items as number of clients served by exceptionality, number of client service plans developed, number of clients successfully completing service plan goals, expenditures per client, expenditures per client hour served, faculty/staff per client, and state appropriation per client. It is the intent of the Legislature to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. In making distribution of the above appropriated funds, the State Board of Education shall require quarterly reports of expenditures and of progress toward achieving the goals and performance indicators sub-

mitted with the fiscal year 1997-98 operations plan. The State Board of Education shall include in any budget request for the above entities for any subsequent fiscal year actual and projected performance indicators as may be required of state agencies.

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 5. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

Senator Ghee offered the following amendment to the Bill, HB 198, as amended, to-wit:

**AMENDMENT TO HB 198, AS AMENDED**

Amend HB 198, as amended, on page 4, line 16 by deleting the figure "102,877" and by inserting in lieu thereof the figure "51,439";

Further amend on page 5, after line 16 by inserting the following:

"(kkk) Anniston Museum of Natural History-Cultural  
Center ..... 51,438"

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

And said Bill, HB 198, as thus amended, was read a third time at  
length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to  
the following House Bill:

**HB 401.** To make an appropriation of \$682,793 from the Edu-  
cation Trust Fund to the Children's and Women's Hospital in Mobile, Ala-  
bama, for the fiscal year ending September 30, 1998 and to require an  
operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to  
the following House Bill:

**HB 95.** To make an appropriation of \$47,000 from the Educa-  
tion Trust Fund to the Black Belt Human Resource Development Center  
and \$60,000 to the Twenty First Century Youth Leadership Training Project  
for the fiscal year ending September 30, 1998, and to require an operations

plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### **BUDGET ISOLATION RESOLUTION**

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, HB 122.

Senator Sanders B.I.R., HB 122, adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

THE BILL:

**HB 122.** To make an appropriation of \$1,049,579 from the State General Fund for the support and maintenance of the cerebral palsy education program for the year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 122, to-wit:

### **SUBSTITUTE FOR HB 122**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$1,049,579 from the Education Trust Fund for the support and maintenance of the cerebral palsy education pro-

gram for the year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$1,049,579 from the Education Trust Fund for the support and maintenance of the cerebral palsy education program to be allocated as follows:

- (a) United Cerebral Palsy of Alabama, Inc. .... \$500,000
- (b) United Cerebral Palsy Development Center for East Central Alabama ..... \$142,000
- (c) Simpson-May Cerebral Palsy Center ..... \$142,000
- (d) Cerebral Palsy Housing Foundation ..... \$50,000
- (e) United Cerebral Palsy of West Alabama, Inc. .... \$25,000
- (f) United Cerebral Palsy of Alabama, Inc. for Etowah County ..... \$50,000
- (g) United Cerebral Palsy of Northwest Alabama ..... \$25,000
- (h) United Cerebral Palsy of Huntsville and Tennessee Valley, Inc. .... \$40,000
- (i) United Cerebral Palsy of Mobile, Inc. .... \$75,579

In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This Act shall become effective October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:  
Senators:

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Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

And said Bill, HB 122, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 119.** To make appropriations for the support, maintenance and development of public education in Alabama, for debt service, and capital outlay for the fiscal year ending September 30, 1998.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.



**BILLS ON THIRD READING RESUMED**

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill, HB 132.

**HB 132.** To make an appropriation of \$17,681 from the State General Fund to the Alabama YMCA Youth and Government for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

was taken up.

The Standing Committee on Finance and Taxation Education reported the following substitute for the Bill, HB 132, to-wit:

**SUBSTITUTE FOR HB 132**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an appropriation of \$17,681 from the Education Trust Fund to the Alabama YMCA Youth and Government for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$17,681 to the Alabama YMCA Youth and Government for use in its legislative and judicial programs from the Education Trust Fund for support and maintenance of said programs. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year 1997-98, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

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Section 3. This act shall become effective on October 1, 1997.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 132, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 424.** To make an appropriation of \$75,000 from the State General Fund to the Alabama Sports Festival, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Senator Sanders then offered the following substitute for the Bill, HB 424, to-wit:

**SUBSTITUTE FOR HB 424**

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$75,000 from the Education Trust

Fund to the Alabama Sports Festival, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated for the fiscal year ending September 30, 1998, the sum of \$75,000 to the Alabama Sports Festival, from the Education Trust Fund for support and maintenance of said program. In addition, the appropriation made herein shall be budgeted and allotted pursuant to the Budget Management Act and Article 4 of Title 41 of the Code of Alabama 1975, and specifically Section 41-4-93, Section 41-4-95 and Section 41-4-96.

Section 2. Prior to release of any funds appropriated under this bill for fiscal year ending September 30, 1998, an operations plan for fiscal year 1997-98 and an audited financial statement for all operations during fiscal year 1995-96 must be forwarded to the Director of Finance. It is the intent to release fiscal year 1997-98 funds following receipt of these reports.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 424, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

### **BILLS ON THIRD READING RESUMED**

Senator Sanders then requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 317.** To amend Sections 9-17-105, 9-17-106, and 9-17-110, relating to the Liquefied Petroleum Gas Board to further provide for the permits issued by the board; and for the use of the Liquefied Petroleum Gas Research and Education Fund.

And said Bill , HB 317, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 94.** To make an appropriation of \$295,305 from the Education Trust Fund and \$52,500 from the State General Fund to the AIDS Task Force of Alabama, Incorporated, for the fiscal year ending September 30, 1998, for educational programs and services to help prevent the spread of AIDS and to require an operations plan and an audited financial statement.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

**SJR 169.** URGING CONGRESS AND PRESIDENT CLINTON TO TAKE ALL NECESSARY ACTIONS TO RECOVER LIVING AMERICAN PRISONERS OR DETERMINE EVIDENCE OF THEIR DEATH IN THE WAR IN SOUTHEAST ASIA, OTHERWISE KNOWN AS THE VIETNAM CONFLICT.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 105.** To make an appropriation of \$23,262,924 from the Education Trust Fund, an appropriation of \$2,751,000 from the Driver Impaired Trust Fund, and an appropriation of \$85,463,872 from Federal and Local Funds to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998; and to make a conditional appropriation of \$2,326,292 to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 745.** To make an appropriation of \$276,317 from the Education Trust Fund to the Governor's Commission on Physical Fitness and to earmark \$10,000 to Montgomery Wheelchair Sports Club, Inc. and \$5,000

to the West End Sports Association for the fiscal year ending September 30, 1998.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 1044.** To alter and rearrange the boundary lines and corporate limits of the municipality of Citronelle in Mobile County to remove certain property from the corporate limits of the municipality.

Also:

**HB 1057.** Relating to Baldwin County; amending Sections 2 and 3 of Act No. 85-684, H. 1056, (Acts 1985, p. 1097), relating to court charges and the Baldwin County Law Library and Judicial Administration Fund, to make the \$1.50 court costs applicable in civil and quasi civil actions, equity, criminal, quasi criminal, proceedings on forfeited bail or forfeited bond in the circuit court of Baldwin County under certain conditions applicable in the Juvenile Court and in civil actions filed in the District Court of Baldwin County; and providing that this act shall be construed together with other laws relating to court costs in Baldwin County, and ratifying collections retroactively to January 1, 1977.

Also:

**HB 1078.** To exempt the Lee County Cattlemen's Association Rodeo from collecting and remitting county, and municipal sales taxes levied upon admission to the Lee County Cattlemen's Association Rodeo.

Also:

**HB 1079.** Relating to Tuscaloosa County, Alabama: to amend and reenact Act 86-656, 1986 First Special Session (Acts 1986, p. 39), as amended, establishing a fire district, pursuant to Amendment No. 358 to the Constitution of Alabama of 1901, for the purpose of preventing fires or for fire protection and certain other public service in Tuscaloosa County; providing for the manner such district may be created for any area; providing for the petition for any proposed district and the election thereon; pro-

viding that the expense of the conducting such election shall be paid by the county except that if the district is created the district shall reimburse the county; providing that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; providing that no district shall be created unless the creation thereof has been approved by the majority of votes cast at an election; providing that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; providing for the enlargement and contraction of the district; providing for the management and operation of each district; providing for the election of a fire district board, except the initial board made up of the existing board of the directors of each volunteer fire department, each being a public corporation; providing for the terms of office of the members of the board; providing for the officers compensation, expense allowance and duties of the members of the board; defining the rights, power, and authority of the district; authorizing any such district to pledge all or any parts of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; authorizing any such district to levy and collect service charges or fees subject to certain limitations; providing that such services charges or fees shall not be levied unless the same is first approved by a majority of the votes cast by the qualified electors residing within the district; providing for the dissolution of any such district; providing that the provisions of this act are severable; repealing all laws, or parts of laws, in the conflict with the act; and providing for the effective date of the act.

Also:

**HB 1086.** Relating to the City of Phenix City, Alabama, to repeal conflicting provisions of Act 13, 1947 Regular Session, as amended, relating to the firemen's and policemen's pension and relief fund, upon acceptance of the fund as a city unit member under the Employees' Retirement System.

Also:

**HB 900.** Relating to Mobile County; to amend Section V of Act 470, H. 952, 1939 Regular Session (Local Acts 1939, p. 298), as further amended by Act 167, H. 231, 1955 Regular Session (Local Acts 1955, p. 431); Act 684, H. 594, 1976 Regular Session (Acts 1976, p. 939); and Act 86-479, H. 629, 1986 Regular Session (Acts 1986, p. 910), relating to the establishment of a countywide civil service system; to add the Treasurer of Mobile County to the Supervisory Committee of the Mobile County Personnel Board.

Also:

**HB 905.** Relating to Shelby County; providing for an expense allowance for each member of the county commission.

Also:

**HB 911.** Relating to Jefferson County; authorizing the City Council of the City of Pleasant Grove to levy an additional ad valorem tax and providing for a referendum.

Also:

**HB 986.** Relating to Madison County; to amend Section 1 of Act 90-695, H. 789 of the 1990 Regular Session (Acts 1990, p. 1350), relating to court costs, to provide for an increase in court costs collected in all district court cases.

Also:

**HB 1048.** Relating to Macon County; to amend Section 15 of Act 83-575, 1983 Regular Session, as amended, relating to the Macon County Racing Commission; to further provide for the distribution of the net proceeds of fees, commissions, taxes, and other monies received by the Macon County Racing Commission from the operation of the racetrack.

Also:

**HB 1088.** Relating to Lee County; amending Act 92-511 of the 1992 Regular Session, relating to an unattended or abandoned motor vehicle and the towing of certain motor vehicles, to provide further that in the jurisdiction of the City of Auburn, the city council may provide by ordinance for the charges and the manner in which unattended or abandoned motor vehicles may be wheel locked and towed.

Also:

**HB 1089.** Relating to Baldwin County; authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; providing for such an auction and for the disposition of proceeds.

Also:



**HB 1097.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Greenville in Butler County.

Also:

**HB 1098.** Relating to Conecuh County; authorizing the county commission to impose an excise tax on persons, corporations, partnerships, companies, agencies, associations, trusts, estates, and other entities engaged in the business of selling, distributing, storing, or withdrawing from storage, gasoline and motor fuel in Conecuh County in an amount not to exceed three cents (\$0.03) per gallon; to provide for the collection and payment of the taxes and to provide for the distribution of the funds derived therefrom; to authorize the county commission to make rules and regulations for the collection of the tax; to provide for the enforcement of this act; to fix the penalty for the violation of this act; and to provide for a referendum on this act.

Also:

**HB 1101.** Relating to Macon County; authorizing the levy, collection, and distribution of an occupational privilege license fee and providing for a referendum.

Also:

**HB 1105.** Relating to Cherokee County; levying a lodging tax and providing for the distribution of the proceeds from the tax.

Also:

**HB 37.** To authorize the city council of any Class 5 municipality with a city manager or a mayor commission form of government to adopt an alternate structure for the membership on the board of adjustment created pursuant to Section 11-52-80 of the Code of Alabama 1975; to authorize the city councils to provide by ordinance for the appointment of the board; and to provide for the number of concurring votes on the board.

Also:

**HB 260.** Amending Section 13 of Act No. 243, H. 278 of the 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for policemen and firemen of the City of Mobile, in Mobile County, to further provide for disabling disabilities; to exclude certain disabling disabilities; and to amend Section 2 of Act No. 95-571, H. 958 of the 1995 Regular Session (Acts 1995, p. 1194), relating to certain conditions existing at the time of employment in determining disability eligibility under the plan.

Also:

**HB 832.** To provide for law enforcement powers for community corrections officers employed in the Houston County Work Release and Pretrial Release Program.

Also:

**HB 870.** Relating to the City of Dothan in Houston County; to amend Section 2 of Act 543, H. 1252 of the 1977 Regular Session (Acts 1977, p. 711), providing for membership in the City of Dothan Pension and Retirement System, to provide for optional membership in the system for the city manager and the city attorneys; and to amend and reenact Section 4 of Act 91-487, H. 622 of the 1991 Regular Session (Acts 1991, p. 878), to provide further for the authorized investments of the pension board.

Also:

**HB 913.** Relating to Bullock County, increasing the pistol permit fee that the sheriff is required to charge, providing for the distribution of these funds, and repealing Act No. 85-897, H. 149, 1985 Second Special Session.

Also:

**HB 916.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Pine Ridge in DeKalb County.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 104.** To make an appropriation of \$381,534 from the Edu-

cation Trust Fund to the Space Science Exhibit Commission for the fiscal year ending September 30, 1998, for educational purposes.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 102.** To make an appropriation of \$950,000 from the Education Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 197.** To make an appropriation of \$391,304 from the Education Trust Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 195.** To make an appropriation of \$350,000 from the Edu-

cation Trust Fund to the Birmingham Children's Theatre for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 93.** To make an appropriation of \$4,132,933 from the Education Trust Fund for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 126.** To make an appropriation of \$100,000 from the Education Trust Fund to Educational Resources, Inc. for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 127.** To make an appropriation of \$1,180,196 from the Edu-

cation Trust Fund to the East Alabama Child Development Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 613.** To make an appropriation of \$120,000 from the Education Trust Fund to the Children's Hands-on Museum for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 124.** To make an appropriation of \$70,000 from the Education Trust Fund to the Exploreum Museum of Discovery for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 123.** To make an appropriation of \$307,615 from the Edu-

cation Trust Fund to the Helen Keller Eye Research Foundation for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### **REPORT OF CONFERENCE COMMITTEE ON SB 457**

We, the Committee on Conference, appointed to reconcile the differences of the two houses concerning Senate Bill 457, have met in conference and have agreed to accept the attached substitute which is made a part of this report as is fully set out herein.

RODGER M. SMITHERMAN,  
SUNDRA ESCOTT-RUSSELL,  
CHIP BAILEY,

Conferees on the part of the Senate.

RICHARD LAIRD,  
LAURA HALL,

Conferees on the part of the House.

### **CONFERENCE COMMITTEE SUBSTITUTE FOR SB 457**

#### **A BILL TO BE ENTITLED AN ACT**

Establishing the Family Assistance Program; providing for eligibility requirements and benefits levels; providing for the disregard of supplemental security income in determining eligibility; providing for the disregard of certain personal savings; providing for the Department of Human Resources to research the feasibility of individual development accounts; denying assistance to certain individuals; prohibiting the employment of recipients in jobs if another individual has been laid off from the same or substantially equivalent job; requiring recipients of family assistance to attend school; providing for recipients to be engaged in work and providing for the requirement of work; requiring the assignment of child support; requiring the establishment of paternity of a child born out-of-wedlock; providing for hearings to aggrieved persons under certain circumstances; requiring child care for certain recipients; requiring transportation for recipients or reimbursement of transportation expenses; providing for Medic-

aid assistance for a certain period; authorizing the services of qualified public and private organizations to assist in operating the program; creating the Welfare Reform Oversight Commission; creating the State Welfare Reform Coordinating Council; creating county welfare reform coordinating councils; providing for personal responsibility contracts; encouraging state agencies to recruit and hire welfare and food stamp recipients; informing recipients of the federal Earned Income Tax Credit; informing employers of the Work Opportunity Tax Credit; restricting the use and disclosure of information relating to recipients receiving assistance; amending Section 38-1-4, Code of Alabama 1975; and providing for penalties.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. This act shall be known and cited as the "Carns-Smitherman Alabama Family Assistance and Personal Responsibility Act."

Section 2. (a) The Legislature finds that for the purpose of complying with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, and to receive Temporary Assistance for Needy Families (TANF) block grants, the State of Alabama shall satisfy all applicable federal conditions, including, but not limited to:

(1) Ensuring that adults, persons who are not minors, in families receiving assistance under the TANF block grant participate in work activities once the state determines that person ready to engage in work or after receiving assistance for 24 months whichever is earlier.

(2) Ensuring that actions are taken to reduce welfare dependency and poverty, reduce unwed births, and strengthen families.

(3) Ensuring that TANF block grant money shall not be used to provide assistance to a family that includes an adult who has received assistance for 60 months, whether or not those months are consecutive.

(b) The Legislature further finds that on or before July 1, 1997, the Department of Human Resources shall establish and implement a Family Assistance Program in accordance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Title IV, U.S.C. Section 401 et seq., and that all funds received by the state for this program shall be subject to appropriation by the Legislature consistent with the terms and conditions of Part A of Title IV of the Social Security Act and the Child Care Development Grant Act of 1990 and applicable state laws.

Section 3. As used in this act, the following words shall have the following meanings:

(1) CARETAKER. A person providing care to a child qualified for and receiving family assistance who is the child's father, mother, grandfather, grandmother, brother, sister, uncle, aunt, or any blood relative, including those of half-blood, and including first cousins or first cousins once removed, nephews or nieces, and persons of preceding generations as denoted by the prefix of grand, great, or great-great, including great-great-grandparents, stepfather, stepmother, stepbrother, stepsister, a person who legally adopts the child or his or her parent, as well as the natural and other legally adopted children of such a person, and the spouse of any person named in the above groups. For the purposes of this act, all such relatives shall qualify as such whether the relationship be acquired by birth or adoption and neither divorce nor death shall terminate any such relationship.

(2) COMMISSION. The Welfare Reform Oversight Commission that serves as the policy oversight body for welfare reform.

(3) COUNCIL. The State Welfare Reform Coordinating Council that serves as the coordinating body for welfare reform in the state.

(4) COUNTY WELFARE REFORM COORDINATING COUNCIL. The organization in each county that coordinates with the Department of Human Resources in the administration of the Family Assistance Program.

(5) DEPARTMENT. The State Department of Human Resources.

(6) FAMILY ASSISTANCE PROGRAM or PROGRAM. The public assistance program operated by the Department of Human Resources for the Temporary Assistance for Needy Families block grant pursuant to Title IV of the Social Security Act.

(7) MINOR CHILD. An individual who has not attained 18 years of age.

(8) TANF. Temporary Assistance for Needy Families pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(9) TWO-PARENT FAMILIES. A legal or common law marriage between a man and a woman with at least one child in the home that is the biological, adopted, or step-child of the father.

Section 4. Section 38-1-4, Code of Alabama 1975, is amended to read as follows:



“§38-1-4.

“(a) ~~Duty of county board.~~—The county board of human resources of each county shall on or before January 30, April 30, July 30 and October 30 file or cause to be filed with the probate judge a complete report showing the names of all recipients of public assistance in the county receiving payments under the provisions of this title, together with the amounts paid to each during the preceding month.

“(b) ~~Reports open to public inspection; exceptions.~~—The reports so filed with the probate judge shall be securely bound by him in a separate record book provided for that purpose, which book and all reports contained therein shall be public records and shall be open to public inspection at all times during the regular office hours of the probate judge. However, nothing contained in this section shall be construed to authorize or require the disclosure of any records of the county department of human resources pertaining to adoptions or pertaining to children heretofore or hereafter placed in foster homes for adoption or for other purposes.

“(c)(a) ~~Unlawful disclosure or use of names.~~—Except as provided in this section, it ~~It~~ shall be unlawful for any person, firm, or corporation to solicit, disclose, receive, make use of or to authorize, knowingly permit, participate in or acquiesce in the use of, any lists or names of recipients of public assistance for commercial or political purposes of any nature, for publication in any newspaper, magazine, other periodical or otherwise, or for any purpose not directly connected with the administration of public assistance.

“(d)(b) ~~Penalty for violation.~~— Any person, firm, or corporation that shall wilfully or knowingly ~~violate~~ violates any provision of this section shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ~~\$25.00~~ twenty-five dollars (\$25) nor more than ~~\$1,000.00~~ one thousand dollars (\$1,000), and may also be imprisoned in the county jail for not more than 60 days.

“(e)(c) ~~Conflicts with Social Security Act.~~— Should any portion or clause of this section be declared or adjudicated to be contrary to or inconsistent with the provisions of the Social Security Act that portion or clause of this section shall have no further force or effect.”

Section 5. (a) There is created the Family Assistance Program in the department for the purpose of providing benefits to needy families pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the federal welfare reform law. The department shall promul-

gate and enforce rules to determine eligibility for families under the program.

(b) The department shall establish the eligibility requirements and benefit levels for the program which shall be the same for single- and two-parent families. Benefit levels shall remain at the same benefit level in place as of January 1, 1997. Beginning on October 1, 1998, benefit levels shall be increased by not less than \$11 per month for a family of three. Beginning October 1, 1999, benefit levels shall be increased by not less than \$10 per month for a family of three. Such benefit level increases will be subject to legislative appropriations. The department shall disregard the monthly benefits and any other income received from supplemental security income in determining the family's eligibility for TANF and the amount of assistance. Upon the marriage of a recipient, the department shall disregard marriage partner income and resources for a period of three months in determining eligibility and benefit levels. The department shall promulgate rules and regulations to disregard personal savings in an amount up to two thousand dollars (\$2,000); or three thousand dollars (\$3,000) if the assistance unit includes a member age 60 or older. The department shall disregard the personal savings of a minor in the assistance unit. The department shall also promulgate rules and regulations to disregard one vehicle per licensed driver in counting assets when determining eligibility.

(c) The department shall research the feasibility of establishing individual development accounts and shall report its findings to the Legislature on the first day of the 1998 Regular Session.

(d) The department shall inform all applicants and recipients of assistance that the program provides transitional assistance benefits for the purpose of regaining self-sufficiency. The department shall also inform all applicants and recipients that the family assistance benefit level of any family who is receiving assistance on the effective date of this act may not be increased upon the birth of a child 10 months or more after the effective date of this act. Benefits for families approved for assistance after the effective date of this act may not be increased upon the birth of a child 10 months or more after the date of approval.

(e) The department shall provide to all applicants information related to domestic violence, including the availability of deferments for certain victims of domestic violence, the availability of legal remedies for victims of domestic violence, and the availability of victim assistance programs including the telephone number of the domestic violence shelter serving the county in which the applicant resides. Caseworkers responsible for identifying and deferring victims of domestic violence shall receive appropriate training.

Section 6. The department shall spend an amount equal to at least 100 percent of the state's maintenance of effort in fiscal year 1994 subject to legislative appropriations.

Section 7. (a) The eligibility requirements established by the department shall determine income and assets limits, and include, but not be limited to, requiring:

(1) Successful participation in the Family Assistance Program work program with exclusions approved by the department.

(2) United States citizenship or alienage, as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(3) Proof of residency in the State of Alabama.

(4) Submission by any applicant or recipient of benefits to the department of his or her social security number, or numbers, if the individual has more than one such number.

(5) Assistance to be paid only to families that include at least one minor child who resides with a caretaker.

(6) A written statement by an applicant for benefits, during the application process, whether that individual or any member of his or her household has been convicted under federal or state law of a felony offense which has as an element the possession, use, or distribution of a controlled substance as defined in Section 102(6) of the Controlled Substance Act, 21 U.S.C. 802(6). This subdivision shall only apply to convictions for offenses occurring after August 22, 1996, the date of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(7) Compliance by any recipient of or applicant for benefits with all requirements regarding the assignments of right to support.

(8) Participation by any recipient or applicant for family assistance benefits in procedures to establish paternity and to identify the father of a child born outside of marriage.

(b) The department shall deny benefits through the Family Assistance Program to or on behalf of the following:

(1) Any member of a family that includes an adult who has received benefits for 60 months or more, whether or not consecutive, through the program or any other state program that has been created and funded

through the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, after the date such state program has commenced, unless any one of the following occurs:

a. In any month during which benefits were provided to that individual, he or she was a child and was not the head of a household or was not married to the head of a household.

b. Benefits were provided to the individual during a month in which he or she lived on an Indian reservation or in an Alaskan native village as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

c. The department may exempt up to 20% of its caseload at any one time from the 60 month time limit based on hardship criteria. Such criteria shall include cases in which a victim of domestic violence shall be forced to return to an abusive situation if not exempted or in which the recipient's failure to obtain employment has been determined by the department to have resulted from domestic violence.

d. The Legislature may also elect to extend the period of eligibility for benefits for the individual and his or her family members who are not exempted in c. above, through a program which is funded solely through state sources.

(2) An individual who has been convicted in federal or state court of having made a fraudulent statement or representation with respect to his or her place of residence in order to receive benefits simultaneously from two or more states under programs that have been created and funded by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Title XIX, the Food Stamp Act of 1977, the Supplemental Security Income Program under Title XVI, or any program under Title IV-D of the Social Security Act. The period of ineligibility shall begin on the date an individual was convicted of the offense and shall continue for 10 years.

(3) Any individual who is fleeing to avoid prosecution or custody or confinement after he or she has been convicted under any federal or state law of a crime which is a felony or who is violating a condition of probation or parole imposed under any federal or state law.

(4) The parent or other caretaker of a minor child who fails to notify the county department of human resources of the absence of a minor child from the home by the end of the fifth day after it has become apparent to the parent or caretaker that the child will be absent from the home for a period of 45 days.

(5) An individual convicted of any federal or state offense that is classified as a felony and has as an element the possession, use, or distribution of a controlled substance.

(6) Families without a minor child residing with the custodial parent or other caretaker of the child or a pregnant individual.

(7) Any aliens who are not qualified under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Section 8. (a) Subject to necessary federal waivers and appropriation authority, the department in conjunction with county welfare reform coordinating councils shall implement programs and policies designed to reduce a family's dependence on welfare. The department may implement such programs statewide or as pilot projects in particular geographic areas. Such programs as are developed shall be implemented through regulations promulgated by the department.

(b) Known charities, churches, applicable foundations, and civic groups shall receive a form developed by the department and mailed by each county department of human resources inviting each to assist needy families and applicants for assistance. The department shall compile a list of and way to contact the charities, churches, applicable foundations, and civic groups in each county willing to provide assistance. Upon initial application to the department for cash assistance and immediately prior to expiration of benefits, each applicant or recipient shall be presented a list of entities in the county who are willing to provide assistance. The list shall be updated every two years.

Section 9. No adult in a Family Assistance work program which is funded in whole or in part by funds provided by the federal government shall be employed or assigned to a job if another individual has been laid off from the same or substantially equivalent job or the employer has terminated a permanent employee from the same or substantially equivalent job or has otherwise caused an involuntary reduction of its work force in order to fill the vacancy created with an adult seeking to participate in work activities pursuant to the Family Assistance Program. The Department of Industrial Relations shall establish and maintain a grievance procedure to resolve complaints of alleged violations of this subsection; however, nothing in this subsection shall preempt or supersede any provision of state law that provides greater protections for employees from job displacement.

Section 10. (a) Any person, age 20 or older, who is otherwise eligible for the Family Assistance Program may be required to attend school, including but not limited to literacy workforce development basic and/or

life skills activities, if all of the following conditions apply:

(1) The person has not graduated from a public or private high school or obtained a GED equivalent.

(2) The person is physically and mentally able to attend school.

(3) The person is a parent or caretaker with whom a dependent child is living and child care is available for the child.

(4) The person is in a work program at least 20 hours a week and his or her assessment indicates that additional education is needed.

(b) A caretaker who has received benefits through the Family Assistance Program who is a parent or caretaker of a minor dependent child shall, in order to retain eligibility for such benefits, ensure that any such minor dependent child attends school as required by rules and regulations developed by the department. Any sanction imposed by the department for a recipient's failure to comply shall continue until the minor child is attending school as required by rules and regulations of the department; provided that the caretaker may file a petition with the court, in writing, requesting that such minor be relieved from the disability of nonage pursuant to the requirements of Section 26-13-2, Code of Alabama 1975.

(c) The department shall develop rules and regulations to implement this section.

Section 11. (a) The department shall require, as a condition of eligibility for benefits through the Family Assistance Program, that each applicant for, or a recipient of, benefits assign to the department any rights to support from any other person that such applicant or recipient may have on his or her own behalf or on behalf of any other family member for whom the applicant or recipient is applying, or is receiving, benefits. Such assignment of rights to support shall take effect upon a determination by the department that the applicant is eligible for assistance through the program. The assignment shall be effective for current and accrued support obligations and shall authorize the division of child support enforcement of the department to bring an administrative or judicial action to establish or enforce a current support obligation, to collect support arrearages that have accrued under an existing order for support, or to seek reimbursement of a support obligation.

(b) The department may not require as a condition of eligibility for benefits through the program that any member of a family assign to the department any rights to support which accrue after the date the family leaves the program.

(c) The divisions of family assistance and child support enforcement of the department shall cooperate in implementing this section unless the department determines that such cooperation is contrary to the best interest of a child on whose behalf benefits are claimed or of the caretaker of such a child. The cooperation shall include establishing the paternity of a child born out-of-wedlock with respect to whom support is claimed or obtaining any other payments or property that are due to such applicant or child. The divisions of family assistance and child support enforcement shall impose penalties as are consistent with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and are otherwise provided by state law.

(d) If the division of child support enforcement determines that an individual who is receiving benefits through the Family Assistance Program fails or refuses to cooperate in establishing paternity or in establishing, modifying, or enforcing a support order with respect to a child for whom benefits are sought or received and if the individual does not demonstrate to the satisfaction of the department good cause for such failure or refusal to cooperate or enforce a support order, the department shall reduce or terminate assistance to the family. The department shall promulgate such regulations as are necessary to implement this subsection, including setting forth time frames for ineligibility and establishing exemptions deemed appropriate.

(e) An applicant or recipient who is a victim of domestic violence may not be required to cooperate with child support collection activities if his or her cooperation may result in an increased risk of harm to the applicant or recipient or to a dependent child.

Section 12. (a) Except as otherwise provided in this section, benefits through the Family Assistance Program shall not be provided to an unmarried individual who has not attained the age of 18 years if the individual:

(1) Has a minor child at least 12 weeks of age in his or her care and the individual has not successfully completed a high school education or a course of study resulting in a certificate of general equivalence unless the individual participates in educational activities directed toward the attainment of a high school diploma or a certificate of general equivalence or an alternative educational or training program that has been approved by the department.

(2) Is a single custodial parent of a child who is not residing in a home in which his or her parent, guardian, or adult relative is residing. Exceptions to this requirement shall be allowed in the following circumstances:

a. The single custodial parent does not have a parent, legal guardian, or other appropriate adult relative who is living or whose whereabouts are known.

b. The single custodial parent does not have a parent, legal guardian, or other appropriate adult relative who would otherwise meet applicable criteria to act as his or her legal guardian, and who allows the single custodial parent to live in their home.

c. The department determines that the single custodial parent or the minor child is being or has been subjected to physical or emotional harm, sexual abuse, or exploitation in the residence of the single custodial parent's own parent or legal guardian. The department shall report any incidence of sexual abuse or rape of a minor to the appropriate district attorney and shall counsel and refer any adult victim of sexual abuse or rape to the appropriate district attorney.

d. The department determines that substantial evidence exists of an act or failure to act that presents an imminent danger or harm to the single custodial parent or the minor child if the single custodial parent and the minor child lived in the same residence with the individual parent or legal guardian.

e. The department otherwise determines that it is in the best interest of the minor child to waive these requirements with respect to the single custodial parent or the minor child.

(b) In circumstances in which the department determines that an individual does not have an appropriate living arrangement in accordance with subsection (a), the department shall assist the individual in locating a second chance home, maternity home, or other appropriate adult-supervised supportive living arrangement. Thereafter, the department shall require the individual and any child who is in the care of the individual to reside in such other home living arrangement as a condition of the individual's continued eligibility for benefits through the Family Assistance Program.

Section 13. Any family that applies for or receives assistance under the Family Assistance Program whose application for assistance is denied or not acted upon with reasonable promptness, or whose assistance has been recommended by the department for suspension, reduction, or termination is entitled to a hearing before a hearing officer.

Section 14. (a) The department shall do all of the following:

(1) Disregard all earnings for the first two continuous months of



employment provided the individual works the number of hours per week required by federal law. This disregard shall be available two times per individual. An individual is eligible if he or she previously received assistance for three consecutive months immediately prior to applying for the disregard.

(2) Provide child care for eligible participants who require such care for 12 months so that they may accept employment or remain employed. Child care shall also be available to the low income working poor based on the amount of legislative appropriations for child care purposes. Teen parents who require child care assistance to remain in school shall be provided child care assistance in accordance with the department's policy regarding income eligibility and fees. Eligible participants shall be advised of all qualified child care services. No recommendation of any particular provider shall be given to the participant. The department shall conduct annual surveys of local market day care rates and shall establish child care payments not less than the 75th percentile determined in those surveys.

(3) Provide transportation, limited to a period of six months, or provide reasonable reimbursement for a period of six months for transportation expenses that are necessary for individuals to be able to participate in an allowable work activity under the Family Assistance Program. Reasonable reimbursement shall be based on all of the following:

- a. Job location.
- b. Sliding fee scale established by the department.
- c. Availability of legislative appropriations.

(4) Provide Medicaid assistance to a family of the program for 12 consecutive calendar months following the month in which the participating family would be ineligible for Medicaid assistance.

(5) Engage the services of qualified public and private organizations to assist in operating the program.

(6) Provide incentives for recipients of public assistance to seek and retain employment.

(b) Contracts entered into for the services provided in subdivisions (2), (3), and (5) of subsection (a), where feasible, shall generally reflect the racial, gender, geographic, urban/rural, and economic diversity of the particular county where the services are provided.

Section 15. (a) There is created a State Welfare Reform Coordinating Council to serve as the coordinating body for welfare reform. The Council shall have the duty of reviewing the implementation of federal and state laws, the rules and regulations of each agency represented on the Council, and county welfare reform coordinating councils' initiatives. Each agency represented on the Council shall establish a mission statement that sets forth the responsibilities of that agency. The mission statement shall affirmatively assert that, although the Department of Human Resources is the named Title IV-A state agency, each of the agencies represented on the Council is responsible for programs designed to achieve significant welfare reform. The Council shall foster cooperation between government, education, and the private sector in meeting the needs of the TANF program. It shall also further cooperation between the business and labor communities, education and training delivery systems, and between businesses in developing highly skilled workers for high paying jobs in Alabama.

Nothing in this act nor in any other provision of law shall be construed as prohibiting the exchange of information or data between and among the state agencies represented on the Council that is necessary for the sole purpose of implementing this act.

(b) The Council shall be composed of the following members:

(1) The Commissioner of the Department of Human Resources.

(2) The Director of the Department of Industrial Relations or his or her designee.

(3) The Director of the Alabama Department of Economic and Community Affairs or his or her designee.

(4) The Director of the Department of Transportation or his or her designee.

(5) A representative from community action agencies appointed by the Governor from a list of recommended appointees submitted by the Community Action Agency Association of Alabama.

(6) The Commissioner of Mental Health and Mental Retardation or his or her designee.

(7) The State Health Officer or his or her designee.

(8) The Commissioner of the Department of Rehabilitation Services or his or her designee.

(9) The State Superintendent of Education or his or her designee.

(10) The Commissioner of the Alabama Medicaid Agency or his or her designee.

(11) Two appointees jointly agreed to by the Governor and Lieutenant Governor, one of whom shall be a representative from the business community and one of whom shall be a current or former TANF recipient who reflects the ethnic majority of TANF recipients in this state.

(12) The Council shall elect from its members a person to serve as Chair.

(c) The Council shall perform the following duties:

(1) Review the reports required to be submitted by the county welfare reform coordinating councils.

(2) Annually review and recommend policies and programs to the Alabama Welfare Reform Oversight Commission that will enable citizens of Alabama to acquire the skills necessary to maximize their self-sufficiency.

(3) Review the provision of services and the use of funds and resources under applicable federal TANF programs, and under state-financed job training and job retraining programs, and advise the Alabama Welfare Reform Oversight Commission on methods of coordinating such provision of services and use of funds and resources consistent with the laws and regulations governing such programs.

(4) Review trends of out-of-wedlock births and recommend policy and program changes to the Alabama Welfare Reform Oversight Commission that will reduce these trends.

(5) Hold public hearings to receive input from members of the community, owners of business concerns, representatives from the private sector, and current as well as former recipients of welfare assistance.

(6) Approve outcome and output measures to measure the success of the department's efforts in implementing the Family Assistance Program. The department shall make recommendations of such outcome and output measures to the Council at such times as required in the event the department implements new programs to comply with the TANF program requirements.

(d) The Council shall review the reports of each county welfare

reform coordinating council required in this act and shall monitor the strengths and weaknesses of each county council's program. The Council is authorized to assess the county council's progress toward achieving welfare-to-work and recommend policy revisions when necessary.

(e) Members who are not state employees shall receive a per diem for each day actually engaged in meetings of the Council and all members shall be reimbursed for mileage and necessary expenses incurred in the performance of their duties.

(f) All departments, agencies, institutions, regulatory agencies, and commissions shall furnish to the Council any available material requested by the Council.

(g) A majority of the members of the Council shall constitute a quorum for the conduct of meetings and all actions of the Council shall be by majority of the members present and voting at a meeting.

(h) The Council shall adopt rules and regulations as it deems necessary to carry out its responsibilities.

(i) The Council shall make and enter into contracts and interagency agreements as may be necessary and proper, subject to the provisions of Sections 29-2-40 to 29-2-41.3, inclusive, Code of Alabama 1975.

(j) The Council may commit and expend monies appropriated to it by the Legislature for its authorized purpose.

Section 16. (a) There is created the Alabama Welfare Reform Oversight Commission. It shall serve as the oversight commission for assuring Alabama's compliance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(b) The oversight commission shall be comprised of the following members:

(1) The Governor or his or her designee.

(2) Two appointments by the Governor.

(3) The Speaker of the House of Representatives or his or her designee.

(4) The Lieutenant Governor or his or her designee.

(5) Two members of the House of Representatives, appointed by the Speaker of the House.

(6) Two members of the Senate, appointed by the Presiding Officer of the Senate.

(c) The members shall elect the chair of the oversight commission for a term of two years who shall continue to serve until a successor chair is appointed and qualified.

(d) The terms of office for the members shall be four years and continue to serve until their successors are appointed and qualified.

(e) Any vacancy shall be filled in the manner of the original appointment.

(f) Members shall receive a per diem for each day actually engaged in meetings of the oversight commission and shall be reimbursed for mileage and necessary expenses incurred in the performance of their duties.

(g) All departments, agencies, institutions, regulatory agencies, and commissions shall furnish to the commission any available material requested by the oversight commission.

(h) The oversight commission shall review and make annual recommendations regarding policies and welfare reform programs to the Governor and the Legislature that will further the implementation of federal requirements under the TANF program. The oversight commission shall work closely with the State Welfare Reform Coordinating Council in order to develop policy recommendations.

(i) A majority of the members of the oversight commission shall constitute a quorum for the conduct of meetings and all actions of the oversight commission shall be by majority of the members present and voting at a meeting.

(j) The oversight commission shall adopt rules and regulations as it deems necessary to carry out its responsibilities.

(k) The oversight commission shall make and enter into contracts and interagency agreements as may be necessary and proper, subject to the provisions of Sections 29-2-40 to 29-2-41.3, inclusive, Code of Alabama 1975.

(l) The oversight commission may commit and expend monies ap-

propriated to it by the Legislature for its authorized purpose.

(m) The oversight commission shall report its findings to the Legislature on the first day of each regular session until the year 2002.

Section 17. (a) A county welfare reform coordinating council is established in each county to further the goals of the Family Assistance work program. Each agency represented on the county welfare reform coordinating council shall establish a mission statement that sets forth the responsibilities of that agency. The mission statement shall affirmatively assert that, although the Department of Human Resources is the named Title IV-A state agency, each of the agencies represented on the county welfare reform coordinating council is responsible for programs designed to achieve significant welfare reform. Each county welfare reform coordinating council shall act as the facilitator between local and county employers, both private and public organizations, and applicants for and recipients of family assistance benefits. The county welfare reform coordinating council in each county shall generally, where feasible, reflect the racial, gender, urban/rural, and economic diversity of the particular county where the services are provided.

(b) The county welfare reform coordinating council shall be comprised of the following:

(1) The county director of the department of human resources.

(2) Three appointees by the county director of human resources, one of whom shall be a representative from the local church community and one member from the business community within said county.

(3) A local representative from the department of industrial relations.

(4) A representative from the local community action agency.

(5) A county educational assessment officer appointed by the local adult education coordinator serving on the local council and the county director of human resources. The four largest counties shall have two county education assessment officers appointed by the county director of the department of human resources; whenever practical, one county education assessment officer shall be appointed from a city within the county.

(6) A representative from the Department of Rehabilitation Services.

(7) The chair of the county commission, or his or her designee.

(8) A representative of the local business community.

(9) The local adult education coordinator recommended by the State Department of Education.

(10) Additional appointments may be made with the majority of the council voting in favor of additional members.

(c) The county welfare reform coordinating council shall perform the following duties:

(1) Develop a local plan to address the work development needs of the Family Assistance Program that is responsive to the goals, objectives, and performance standards established by the State Welfare Reform Coordinating Council and that targets services to meet local and county needs, including the identification of industries and employers who are willing to employ workers who complete the eligibility interview and employee assessment programs.

(2) Ensure that the work program elements such as client orientation, immediate job search, job development, creation of public service jobs, job placements, and post placement follow-up of the Family Assistance Program are implemented according to the plan developed for work for recipients.

(3) Promote cooperation and coordination among public organizations, community organizations, and private businesses providing work development for recipients.

(4) Solicit participation of private organizations, nonprofit organizations, charitable organizations, and institutions of education in the delivery of services. The entities as a whole, where feasible, shall generally reflect the racial, gender, urban/rural, and economic diversity of the particular county where the services are provided.

(5) Make a quarterly report for the first two full years after the effective date of this act to the State Welfare Reform Coordinating Council outlining program successes and recommendations for policy changes. Thereafter, an annual report shall be required on January 1, 2002, and each year thereafter. Each local agency involved in the county welfare reform coordinating council is responsible for providing to the council the number of TANF recipients referred to that agency during the required reporting periods, the actions taken on that referral, the number and type of services

provided, including but not limited to, job placements; jobs retained after 90 days; educational services; vocational services; transportation services; child care placements; and community service placements.

(6) The county welfare reform coordinating council shall act as a liaison between the program and employers.

(7) The appropriate case worker shall act as a liaison between individual recipients and employers.

Section 18. The department shall develop a personal responsibility plan for each family. The plan shall set forth an employment goal, the obligations of the individual to become and remain employed as quickly as possible, and the services that the department may provide to that individual. The department may develop criteria to defer an individual from placement in a work related activity. If a non-deferred individual fails to comply with mandatory provisions, without good cause, set forth in the personal responsibility plan, the department shall apply a financial penalty which shall at a minimum require a pro rata reduction in benefits as specified by federal law. Specific rules for noncompliance, good cause for noncompliance, and financial penalties shall be promulgated by the department.

Section 19. The Legislature strongly encourages the Alabama Development Office, the Alabama Department of Economic and Community Affairs, and state industrial development boards or agencies to recruit and encourage businesses and industries to locate in economically distressed and rural counties by offering all available incentives, which may include tax incentives, state low interest loans, and development grants to employers that employ former TANF recipients.

Section 20. A family approved for cash assistance shall initially receive assistance for a maximum cumulative period of 24 months. Any assistance received prior to the date of certification of the state plan under the Personal Responsibility and Work Opportunity Reconciliation Act shall not be counted in the 24-month limitation. A family may re-apply for cash assistance for an additional 24 months of assistance after a six month period without cash assistance. A family may apply for its remaining 12 months of the maximum five years of assistance after a second period of six months without cash assistance.

Section 21. (a) Except as otherwise provided in this section, a caretaker receiving assistance under the program shall be required to engage in work when the department determines that the recipient is ready for such work based on an assessment.



(b) A single custodial parent caring for a child who has not attained 12 months of age shall not be required to engage in work; except that a minor parent who has not completed high school or obtained a GED high school equivalency certificate shall be required to attend high school, pursue a GED high school equivalency certificate, or participate in a training program approved by the county welfare reform coordinating council.

(c) An adult may be exempt from the mandatory work activity requirement for the following reasons:

(1) Incapacity.

(2) Temporary illness or injury, verified by a physician's certificate.

(3) Caretaker of a child under 12 months, for not more than 12 months of the 60-month maximum benefit period.

(4) Caretaker of an ill or incapacitated person, as verified by a physician's certificate.

(5) Age, if over 62 years or under 18 years of age.

(6) Receiving treatment for substance abuse, if the person is in compliance with the substance abuse treatment plan.

(7) An applicant or recipient who is a victim of domestic violence by documentation of court records, police reports, or an authorized state agency case worker shall be deferred until the safety of the victim has been secured, from compliance with work requirements if participation would further endanger the applicant, recipient, or his or her dependent child or if work participation is otherwise precluded by the abuse.

(d) For all families, all adults who are not specifically exempt shall be required to participate in work activities for at least the minimum average number of hours per week specified by federal law or regulation, not fewer than 20 hours per week, 35 hours per week for two-parent families, of which are attributable to either of the following allowable work activities:

(1) Unsubsidized employment.

(2) Subsidized private sector employment.

(3) Subsidized public sector employment.

(4) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private employment is not available.

(5) On-the-job training.

(6) Job search and job readiness assistance consistent with federal regulations.

(7) Community service programs.

(8) Vocational educational training, not to exceed 12 months for any individual.

(9) Satisfactory attendance at a high school or in a course of study leading to a high school equivalency certificate, for heads of household under age 20 years who have not completed high school or received such certificate.

(10) Education directly related to employment for heads of household under age 20 years who have not completed high school or received such equivalency certificate.

(11) Activities which are permitted under a federally approved waiver granted to the department.

(e) The following are allowable work activities which may be attributable to hours in excess of the minimum specified in subsection (d):

(1) Job skills training directly related to employment.

(2) Education directly related to employment for individuals who have not completed high school or received a high school equivalency certificate.

(3) Satisfactory attendance at a high school or in a course of study leading to a high school equivalency, for individuals who have not completed high school or received such equivalency certificate.

(f) No family assistance benefits may be given to any person to whom this section applies who fails without good cause to comply with the personal responsibility plan, or who has refused to accept a referral or offer of employment, training, or education in which he or she is able to engage subject to the penalties prescribed by the department. A person shall be deemed to have refused to accept a referral or offer of employment, train-

ing, or education if he or she does any of the following without good cause:

(1) Fails to report for an interview with respect to employment when requested to do so by the department.

(2) Fails to report to the department the result of a referral to employment.

(3) Fails to report for allowable work activities as prescribed in this section.

(g) The department shall promulgate rules and regulations for financial penalties for recipients who refuse to engage in allowable work activities, subject to the Administrative Procedure Act.

(h) An applicant or recipient who is a victim of domestic violence by documentation of court records, police reports, or an authorized state agency case worker shall not be terminated from assistance for failure to comply with work requirements when the abuser has interfered with the efforts to comply or if such compliance would increase the risk of abuse to the recipient or dependent child or if the failure to comply results from actions taken by the perpetrator of the abuse and not within the ability of the recipient to control.

Section 22. (a) The department shall provide notice and opportunity for a hearing to any aggrieved person when the actions of the department would adversely affect the individual's or family's right to assistance, benefits, or services.

(b) For purposes of subsection (a), an "aggrieved person" shall include any person alleging any one of the following:

(1) Denial of financial assistance, benefits, or services.

(2) Failure to act on his or her application for assistance in a reasonable time period.

(3) Suspension, reduction, or discontinuance of assistance, benefits, or services.

Section 23. State agencies are encouraged to establish recruitment and hiring goals which target jobs requiring a high school diploma or less to be filled with welfare or food stamp recipients. A question concerning receipt of family assistance benefits or food stamps may be added to the state employment application for purposes of targeting these applicants.

Each agency annually shall report to the Alabama Welfare Reform Oversight Commission the number of family assistance benefit recipients employed in comparison to the established goal.

Section 24. The department and the county welfare reform coordinating council shall carry out an intense public information campaign to inform low income workers, and especially family assistance recipients, of the availability of and application rules for the federal Earned Income Tax Credit (EITC), in order to maximize the refundable credit of federal income tax for those persons. The information campaign shall include publishing and circulating bulletins or notices to recipients of family assistance benefits and other public assistance that publicize and explain EITC and the criteria for family eligibility for the EITC. The department and the county welfare reform coordinating council also shall carry out an intense information campaign to inform employers of the availability of and the criteria for eligibility for the Work Opportunity Tax Credit (WOTC) which offers employers a credit against their federal tax liability for hiring people from certain groups, including family assistance recipients and any available state income tax deduction for employers who hire persons receiving family assistance benefits.

Section 25. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

Section 26. All laws or parts of laws which conflict with this act are repealed.

Section 27. This act shall become effective on July 1, 1997, following its passage and approval by the Governor, or its otherwise becoming law.

### CONFERENCE REPORT

On motion of Senator Smitherman, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

**SB 457.** Establishing the Family Assistance Program; providing for eligibility requirements and benefits levels; providing for the disregard of supplemental security income in determining eligibility; providing for the disregard of certain personal savings; providing for the Department of Human Resources to research the feasibility of individual development accounts; denying assistance to certain individuals; prohibiting the employment of recipients in

jobs if another individual has been laid off from the same or substantially equivalent job; requiring recipients of family assistance to attend school; providing for recipients to be engaged in work and providing for the requirement of work; requiring the assignment of child support; requiring the establishment of paternity of a child born out-of-wedlock; providing for hearings to aggrieved persons under certain circumstances; requiring child care for certain recipients; requiring transportation for recipients or reimbursement of transportation expenses; providing for Medicaid assistance for a certain period; authorizing the services of qualified public and private organizations to assist in operating the program; creating the Welfare Reform Oversight Commission; creating the State Welfare Reform Coordinating Council; creating county welfare reform coordinating councils; providing for personal responsibility contracts; encouraging state agencies to recruit and hire welfare and food stamp recipients; informing recipients of the federal Earned Income Tax Credit; informing employers of the Work Opportunity Tax Credit; restricting the use and disclosure of information relating to recipients receiving assistance; amending Section 38-1-4, Code of Alabama 1975; and providing for penalties.

Yeas 23 Nays 10

Yeas:

Senators:

Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Escott-Russell, Figures, Freeman, Ghee, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Roberts, Sanders, Smitherman, Steele, and Windom -23

Nays:

Senators:

Adams, Amari, Armistead, Hale, Hill, Lipscomb, Myers, Poole, Smith, and Waggoner -10

### **BILLS ON THIRD READING RESUMED**

Senator Figures requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 701.** To provide for distinctive motor vehicle license plates for members of the Alabama Association of Realtors; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

And said Bill, HB 701, was read a third time at length and passed.

Yeas 33 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Bedford, Biddle, Butler, Clay, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Lang-

ford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom-33

Nays:

- 0

### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

**SJR 169.** URGING CONGRESS AND PRESIDENT CLINTON TO TAKE ALL NECESSARY ACTIONS TO RECOVER LIVING AMERICAN PRISONERS OR DETERMINE EVIDENCE OF THEIR DEATH IN THE WAR IN SOUTHEAST ASIA, OTHERWISE KNOWN AS THE VIETNAM CONFLICT.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF RESOLUTIONS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 425.** To make an appropriation of \$150,000 from the Education Trust Fund to the Alabama Humanities Foundation for the fiscal year ending September 30, 1998, and to require an audited financial statement and operations plan prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 196.** To make an appropriation to the Department of Public Health in the amount of \$4,714,831 from the Education Trust Fund, of which \$150,000 is a conditional appropriation, for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1998.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 125.** To make an appropriation of \$100,000 from the Education Trust Fund to the Epilepsy Foundation of North and Central Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 122.** To make an appropriation of \$1,049,579 from the Education Trust Fund for the support and maintenance of the cerebral palsy education program for the year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 130.** To make an appropriation of \$126,250 from the Education Trust Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 424.** To make an appropriation of \$75,000 from the Education Trust Fund to the Alabama Sports Festival, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 131.** To make an appropriation of \$1,482,112 from the Education Trust Fund for the support and maintenance of the sickle cell education program and to make a conditional appropriation of \$134,000 from the Education Trust Fund to the UAB Comprehensive Sickle Cell Center for the fiscal year ending September 30, 1998; and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 132.** To make an appropriation of \$17,681 from the Education Trust Fund to the Alabama YMCA Youth and Government for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 226.** To amend Section 36-16-8 of the Code of Alabama 1975, to provide further for duties of the State Auditor related to inventory control of state property.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 630.** To amend Section 40-13-6, Code of Alabama 1975, to provide for disbursement and appropriation of proceeds from certain coal severance taxes.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 198.** To make an appropriation of \$4,196,674 from the Education Trust Fund to the State Board of Education for the support and maintenance of special programs for special education for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

**SJR 170.** COMMENDING THE GRAND BAY HIGH SCHOOL TIGERS BASEBALL TEAM FOR OUTSTANDING ACHIEVEMENT.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 502.** To amend Sections 34-11-1, 34-11-2, 34-11-3, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-14, 34-11-15, 34-11-30, 34-11-31, 34-11-32, 34-11-34, 34-11-35, 34-11-36, 34-11-37, and 11-6-21 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors; to rename the board; to regulate the registration and fees, with expira-

tion and renewal requirements for registration; to provide further for the issuance of certificates of authorization to certain corporations, partnerships, or firms practicing engineering or land surveying; to regulate further the compensation, powers, and duties of the members of the board; to regulate corporate practice; and to provide for penalties.

GREG PAPPAS,  
Clerk.

### REPORT FROM RULES

Senator Lindsey, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**HJR 388.** ESTABLISHING AN ADVISORY COMMITTEE TO STUDY THE FEASIBILITY OF ALLOWING MEMBERS OF THE LEGISLATURE TO PARTICIPATE IN A RETIREMENT PLAN OR IN AN HONORARY MEMBERSHIP POSITION.

WHEREAS, most employees of the Executive Branch of government are members of the Employees' Retirement System; and

WHEREAS, in 1973 the Legislature passed and the people of the state ratified a constitutional amendment to allow elected members of the Judicial Branch of government to participate in a retirement plan; and

WHEREAS, members of the Alabama Legislature are among the few state officials who are not eligible to participate in the Employees' Retirement System; and

WHEREAS, on July 10, 1995, the Supreme Court of Alabama, in an Opinion of the Justices, stated that the Legislature may constitutionally create honorary offices to be held by former members of the Legislature and former Lieutenant Governors and provide for the expenses of such positions; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is established an advisory committee to study the feasibility of establishing a legislative retirement program or an honorary legislative position. The committee shall gather and study information on other states which provide for legislative retirement programs or such honorary programs, and if it determines that such a program would be both desirable and feasible, develop a proposal to

be submitted to the Legislature as provided below. The committee shall be composed of the following members:

1. Three members appointed by the Speaker of the House of Representatives.
2. Three members appointed by the Lieutenant Governor.

The committee shall meet as soon as practicable after the adjournment of the 1997 Regular Session of the Legislature and shall select from among its members a chair and vice chair. Upon the request of the chair, the Secretary of the Senate and the Clerk of the House shall provide the clerical assistance necessary for the committee's work. The Chief Executive Officer of the Retirement Systems of Alabama shall provide the committee with the necessary support and expertise that may be required by the committee in its study and evaluation. The committee shall report its findings, conclusions, and recommendations to the Legislature not later than the second legislative day of the 1998 Regular Session, whereupon the committee shall stand dissolved and discharged of any further duties and liabilities. Any legislative member of the committee shall be entitled to his or her regular legislative compensation, his or her per diem, and travel expenses for each day he or she attends a meeting of the committee. Nonlegislative members of the committee shall not be entitled to compensation, mileage, or per diem expenses for service on the committee.

On motion of Senator Langford, said Resolution, HJR 388, was concurred in and adopted by the Senate.

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Danny K. Patterson to the Alabama Commission on Higher Education

On motion of Senator Mitchem, the appointment of Mr. Patterson was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**HJR 422.** TO ESTABLISH A JOINT INTERIM LEGISLATIVE COMMITTEE AND SUBCOMMITTEE ON RURAL TRANSPORTATION TO DEVELOP A FIVE-YEAR PLAN CONCERNING TRANSPORTATION AND TO IDENTIFY RESOURCES FOR TRANSPORTATION.

WHEREAS, the Alabama Legislature finds that providing efficient, coordinated, safe, and responsive public transportation to the urban and rural residents of this great state is an essential public purpose that promotes the general mobility and commerce of the community, state, and nation; serves the needs of the disabled and mentally and physically challenged; fosters training and employment opportunities; serves persons who are otherwise welfare-dependent; improves the quality of life for the elderly; provides critical emergency service; conserves energy; and improves land use; and

WHEREAS, the Alabama Legislature finds that in order to develop a five-year plan, it is crucial that all agencies, departments, or entities, whether public or private and whether state or local, which use state, federal, or other public funds, including state-administered federal funds, for the transportation of private citizens on a regular basis should be a partner in this quest of providing rural and urban transportation fairly, equitably, efficiently, and economically; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the intent of the Legislature is to improve access and delivery of transportation services to the urban and rural areas of this great state, and especially to those areas of the state without any or with meager access or delivery of a transportation system.

That the Joint Interim Legislative Committee on Rural Transportation is hereby directed as follows:

(1) To develop a five-year urban and rural transportation plan to

address the concerns set out in the Legislative findings of this act in order to accomplish the following:

(a) Provide for urban and rural areas to utilize wherever possible existing transportation resources, public and private, before any new resources are designated from public funds in order to operate transportation needs with the funding and transportation system available and to support the specific programs from which the funding is derived and to support the people of the State of Alabama.

(b) Develop a five-year plan and transportation policies that are consistent with balanced economic growth in the state.

(2) The committee shall consist of a total of six persons as follows: three members of the House of Representatives, appointed by the Speaker of the House of Representatives; three members of the Senate, appointed by the Lieutenant Governor; and the Director of the Department of Transportation, or the designee of the director, shall be an ex officio member, who shall serve at the will of the committee. The committee shall elect its own chair from among the appointed members and shall set its own rules of procedure.

(3) For the purposes of Section 1, a subcommittee of the Joint Interim Legislative Committee on Rural Transportation is created to develop the five-year plan after receiving input and gathering information from all state agencies as required by this act.

(4) For the purpose of Section 1, a subcommittee of the Joint Interim Legislative Committee on Rural Transportation shall be created for the purpose of providing and obtaining information in order that the committee shall be able to carry out its purpose. The subcommittee shall consist of, but not be limited to, the department directors or their designee of the following agencies: Alabama Department of Transportation, Alabama Department of Economic and Community Affairs, Alabama Medicaid, Alabama Commission on Aging, Alabama Department of Mental Health and Mental Retardation, and the Alabama Department of Human Resources.

Each department head shall provide to the subcommittee the following information in order that they may obtain their goals.

1. Number of vehicles used to transport clients.
2. Number of passenger seats in each vehicle.

3. Number of passenger miles.
4. Itemized cost of providing transportation.
5. Source or sources from which funds are derived.

6. Any other information the subcommittee shall deem necessary to complete its goal.

Each subcommittee member shall have equal authority and input on all issues relative to the subject, matters of information, and all phases of presentation of the five-year plan.

(c) Each agency and department of state government shall cooperate with the committee and subcommittee in providing all necessary information and data regarding the agency or department activities in public transportation; provided, the Department of Corrections, the State Department of Education, school districts, and public institutions of higher education are exempt from the requirements of this subsection and paragraph.

BE IT FURTHER RESOLVED, That each member of the committee shall be entitled to his or her regular legislative compensation, his or her per diem, and travel expenses for each day he or she attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the State Comptroller upon requisitions signed by the chair of the committee. Notwithstanding the foregoing, no member shall receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. All unexpended funds allocated for the committee by Act 96-754 shall be available for expenses of the committee and an additional sum of ten thousand dollars (\$10,000) for expenditures of the committee during the remainder of the quadrennium shall be allocated from the appropriations for use of the Legislature.

RESOLVED FURTHER, That the subcommittee shall make its report to the committee at its first meeting in January 1998, and the committee shall render its report pursuant to Act 96-754, SJR 81 of the 1996 Regular Session on the fifth legislative day of the 1998 Regular Session.

RESOLVED FURTHER, That the Joint Interim Legislative Committee on Rural Transportation and subcommittee are extended with all of the original powers and duties and those enumerated herein until the last day of the quadrennium of the current legislative session, at which time the

committee and subcommittee shall be discharged of any further duties and responsibilities and shall stand dissolved.

On motion of Senator Mitchem, said Resolution, HJR 422, was concurred in and adopted by the Senate.

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**HJR 20.** EXTENDING THE JOINT INTERIM LEGISLATIVE STUDY COMMITTEE TO EVALUATE UNMET NEEDS OF CAREGIVERS AND VICTIMS OF ALZHEIMER'S DISEASE AND RELATED DISORDERS AND PROVIDING FURTHER FOR THE EXPENSES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Interim Legislative Study Committee to Evaluate Unmet Needs of Caregivers and Victims of Alzheimer's Disease and Related Disorders, established pursuant to Act No. 93-919, HJR 30, 1993 Special Session, is extended and shall report its findings, conclusions, reports, and recommendations on the fifth legislative day of the 1998 Regular Session, at which time the committee shall stand dissolved and discharged of any further duties and liabilities.

Each legislative member of the committee shall be entitled to his or her regular legislative compensation, his or her per diem, and travel expenses for each day he or she attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the State Comptroller upon requisitions signed by the chair of the committee. Notwithstanding the foregoing, no member shall receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$10,000 per annum.

On motion of Senator Dial, said Resolution, HJR 20, was concurred in and adopted by the Senate.

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**HJR 277.** HONORING DR. JOHN T. GIBSON FOR OUTSTANDING PROFESSIONAL ACHIEVEMENTS.



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WHEREAS, Dr. John T. Gibson, President of Alabama Agricultural and Mechanical University (Alabama A&M), is being honored by faculty and friends at an Inauguration ceremony on April 4, 1997; and

WHEREAS, a native of Montgomery, Alabama, Dr. Gibson graduated from Alabama State Laboratory High School with highest honors and a four-year basketball scholarship in 1966, and received his B.S. and Ed.M. from Tuskegee University; and

WHEREAS, further, he received his Ed.S. and Ph.D. degrees from the University of Colorado, as well as a certificate in Finance and Management from Harvard University; and

WHEREAS, he is the recipient of numerous prestigious honors and awards including Outstanding Young Educational Leader, Who's Who in the United States, and Men of Achievement International, among others; and

WHEREAS, prior to beginning his career in higher education, he served his country with honor and patriotism as a captain in the United States Army Reserves; and

WHEREAS, Dr. Gibson has established an unparalleled record of service in numerous civic and professional organizations including Kappa Delta Pi National Honor Society, Elks, Masons 33rd degree, Shriners, Kappa Alpha Psi Fraternity, and Kiwanis International; and

WHEREAS, the publisher of multifarious articles in national journals and newspapers on education, finance, and administration, Dr. Gibson has earned admiration and esteem through his involvement as treasurer and member of the Steward Board at St. John African Methodist Episcopal Church, Huntsville, Alabama; and

WHEREAS, married to his loving wife, the former M. Voncile Pierce, they are the proud parents of three sons, John Thomas, II, Jerard Trenton, and Justin Tarrance; and daughter, Shayla Voncile; and

WHEREAS, serving with distinction at Alabama A&M University since 1986, Dr. Gibson has served as vice president and chief fiscal officer, associate vice president for administrative services and, most recently, as vice president for Business and Finance and professor of Administration and Finance, Higher Education; and

WHEREAS, Dr. John T. Gibson indeed personifies that which is the very best in community leadership, and has made a lasting impression

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on those individuals with whom he has been associated; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Dr. Gibson is congratulated on his selection as President of Alabama A&M University and, by copy of this resolution, commended on his exemplary record of civic leadership and extended sincere best wishes for success in the future.

On motion of Senator Dial, said Resolution, HJR 277, was concurred in and adopted by the Senate.

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Promotion of Colonel Edwin Wright to the rank of Brigadier General

On motion of Senator Dial, the promotion of Colonel Wright was confirmed by the Senate.

Yeas 29 Nays 0

Yeas:

Senators:

Armistead, Bailey, Bedford, Biddle, Clay, Davidson, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -29

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 1041.** Proposing an amendment to the Constitution of Alabama of 1901, relating to St. Clair County, authorizing the St. Clair County Commission to levy an additional ad valorem tax for fire protection and emergency medical services.

GREG PAPPAS,  
Clerk.

## **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

## **MOTION TO RECONSIDER LOST**

Senator Adams moved that the Senate reconsider the vote by which the Resolution, HJR 388, was concurred in and adopted, which motion lost.

Yeas 12 Nays 14

Yeas:

Senators:

Adams, Bailey, Dial, Dixon, Hale, Lipscomb, Little, Mitchem, Myers, Poole, Roberts, and Smith -12

Nays:

Senators:

Clay, Davidson, Denton, Escott-Russell, Figures, Freeman, Ghee, Langford, Lindsey, McClain, Mitchell, Steele, Waggoner, and Windom -14

## **REPORT FROM RULES**

Senator Lindsey, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Johnny Blackmon to the Arts Education and Foreign Languages Courses of Study Committee

On motion of Senator Mitchem, the appointment of Mr. Blackmon was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Catherine Harris Cramer to the Arts Education and Foreign Languages Courses of Study Committee

On motion of Senator Mitchem, the appointment of Ms. Cramer was confirmed by the Senate.

Yeas 27 Nays 0

Yeas:

Senators:

Bailey, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Steele, Waggoner, and Windom -27

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Joyce French to the Arts Education and Foreign Languages Courses of Study Committee

On motion of Senator Mitchem, the appointment of Ms. French was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Jackie Lord to the Arts Education and Foreign Languages Courses of Study Committee

On motion of Senator Mitchem, the appointment of Ms. Lord was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Dannetta Thornton Owens to the Alabama Educational Television Commission

On motion of Senator Mitchem, the appointment of Dr. Owens was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**FURTHER CONSIDERATION OF GOVERNOR'S APPOINTMENT**

Senator Lindsey requested and received permission to suspend the Rules in order that the Senate proceed to further consideration of the following Governor's Appointment, to-wit:

Appointment of David Scott to the Judicial Inquiry Commission  
having been postponed on the Sixteenth Legislative Day.

On motion of Senator Little, the appointment of Mr. Scott was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 470.** Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected public officials in Talladega County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

Also:

**HB 937.** Proposing an amendment to the Constitution of Alabama of 1901, relating to Limestone County, to provide that the planning

and zoning regulation of a municipality located wholly or partially in Limestone County shall not extend beyond the corporate limits of the municipality.

Also:

**HB 469.** Proposing an amendment to the Constitution of Alabama of 1901, to provide that certain elected public officials in Calhoun County may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 216.** To provide for a FY 1996-97 supplemental General Fund appropriation in the amount of \$8,023,165 to various state agencies; to provide for a FY 1996-97 supplemental appropriation to the Office of the Attorney General from the Attorney General Special Revenue Fund in the amount of \$700,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Corrections from the Corrections Special Revenue Fund in the amount of \$7,800,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Finance from the Data Center Revolving Fund in the amount of \$8,000,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Forensic Sciences from the Chemical Test Fund in the amount of \$800,000; to provide for a FY 1996-97 supplemental appropriation to the Board of Licensure for Professional Geologists from the Board of Licensure for Professional Geologists Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to

the Board of Polygraph Examiners from the Board of Polygraph Examiners Fund in the amount of \$5,000; to provide for a FY 1996-97 supplemental appropriation to the University of Alabama at Birmingham School of Optometry from the University of Alabama at Birmingham School of Optometry Fund in the amount of \$36,464; to provide for a FY 1996-97 supplemental appropriation to the Board of Veterinary Medical Examiners from the Veterinary Medical Examiners Fund in the amount of \$50,000; to provide for a FY 1996-97 supplemental appropriation to the Department of Public Safety from the Public Safety Law Enforcement Fund in the amount of \$1,300,000; to provide for a FY 1996-97 supplemental appropriation to the Alabama Board for Registration for Architects from the Board for Registration of Architects Fund in the amount of \$100,000; to clarify language in Act 96-819, the General Fund Appropriations Act, relating to the Department of Human Resources; and to provide for an effective date.

Also:

**HB 899.** Relating to Clarke County; authorizing the county commission to levy an additional sales and use tax and providing for the collection, distribution, and use of the proceeds of the tax.

Also:

**HB 991.** Relating to Calhoun County; to establish an Adult Day Center to provide for services to improve one's quality of daily living, mental health, and ability to cope with problems encountered by the older adult; to provide for definitions; to provide for certification of adult day centers; and to make an appropriation.

Also:

**HB 637.** Relating to Mobile County; to amend Section 1 of Act 91-368, 1991 Regular Session, relating to annual supplemental salary of the revenue commissioner, to alter the monetary amount.

Also:

**HB 638.** Relating to Mobile County; providing for the county commission to reimburse the office of the accounts department for monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, and providing that reimbursement payments be made from the county general fund.

Also:



**HB 875.** Relating to Macon County; to provide for the levy of a severance fee on clay, sand, or gravel, mined within the county; to provide for permit fees; and to provide for the disposition of the proceeds from the fees.

Also:

**HB 915.** Relating to any Class 1 municipality; to authorize the incorporation of an authority as a public corporation for the purpose of providing public transportation service, upon the filing of an application with and the authorization of the incorporation by the governing body of the principal county where the Class 1 municipality is located and the governing body of the Class 1 municipality in the county; to provide for the amendment of the certificate of incorporation of an authority for certain purposes at any time, upon the authorization of each amendment by the governing body of the principal county by which its incorporation was authorized and by the governing body of the Class 1 municipality in the county; to provide for the election and compensation of directors of the authority; to provide for the powers, authorities, and duties of an authority and its board of directors; to authorize an authority to acquire, construct, operate, improve, and finance one or more transit systems; to confer on an authority the power of eminent domain; to authorize an authority to expend funds for the purchase or lease of materials, equipment, supplies, or other personal property involving less than \$2,000, employ officers, employees, and agents without regard to any provisions of the state bid law or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by the authority; to provide for the issuance by an authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of any tax proceeds appropriated, allocated, or made payable to the authority or the revenues of any one or more of the transit systems of an authority, without regard to the system or systems with respect to which the revenue securities may have been issued; to provide that the revenue securities shall constitute negotiable instruments; to provide that the revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding an authority for the proper application of its revenues and of the proceeds of the revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities are payable; to provide that any revenue securities of the authority may be issued under a trust indenture; to provide for

constructive notice of any statutory mortgage lien; to authorize the assumption by an authority of obligations respecting any transit system, or parts thereof, acquired by the authority; to provide for the use of the proceeds of any revenue securities issued by an authority; to provide for the refunding, by the issuance of revenue securities of an authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by an authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality, or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend, or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to an authority; to exempt the property and income of an authority, and all securities issued by an authority and the income from the securities, and conveyances, leases, and mortgages and deeds of trust to which the authority is a party from all taxation in the state, to exempt every authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt the authority from payment of certain charges to judges of probate; to provide that each authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by an authority; to require the board of directors of an authority to adopt an annual budget and to cause annual audits of the books and records of the authority to be made; to provide that no employee of an authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; to provide for the dissolution of an authority and the disposition of its property; to provide for taxation; and to provide for a referendum.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 20.** To make conditional appropriations from the Education Trust Fund for the fiscal year ending September 30, 1997, for capital outlay purposes for the replacement of or repairs to schools damaged by fire or natural disaster as follows: (1) to the Cullman County Board of Education: three million dollars (\$3,000,000); (2) to the Madison County Board of Education: one hundred fifty thousand dollars (\$150,000); (3) to the Tallapoosa County Board of Education: nine hundred thousand dollars (\$900,000); (4) to the Montgomery County Board of Education: four hundred thousand dollars (\$400,000); (5) to the Elmore County Board of Education: three hundred thousand dollars (\$300,000); and (6) to the Lamar County Board of Education: one hundred fifty thousand dollars (\$150,000); to make conditional appropriations from the Education Trust Fund for the fiscal year ending September 30, 1998 to the same boards of educations for the same purposes in the event the conditional appropriations made by this act for the fiscal year ending September 30, 1997 are not released; and to make appropriations from the Education Trust Fund for the fiscal year ending September 30, 1999, to the same boards of education for the same purposes in the event the conditional appropriations made by this act for the fiscal years ending September 30, 1997 and 1998, are not released.

GREG PAPPAS,  
Clerk.

**SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills,

your signature thereto is requested.

**HB 904.** Relating to Shelby County; providing for the compensation of the Judge of Probate of Shelby County.

Also:

**HB 924.** Relating to Dale County; providing that the offices of judge of probate or revenue commissioner shall be reimbursed for monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing the funds shall be payable from the general fund of the county.

Also:

**HB 950.** Relating to Geneva County; prescribing the salary of the sheriff.

Also:

**HB 971.** Relating to Marshall County; to provide that the county commissioners may, under certain conditions, authorize county personnel to perform work in private or public cemeteries, including opening graves for interment of human bodies, repairing and maintaining existing roads, building roads, and other related labor in private or public cemeteries, including any cemetery authority owned, governed, controlled, or operated by any church or religious society or denomination, religious corporation, church, or corporation sole and also on school bus turn-arounds.

Also:

**HB 973.** Relating to Dale County; to provide for a procedure for optional renewal by mail of motor vehicle licenses and tags, boat licenses, and manufactured home licenses; and to authorize a fee for mail order services.

Also:

**HB 978.** To authorize an additional county salary supplement for the district judges of Lee County, and to provide that the provisions of this act shall be effective October 1, 1997.

Also:

**HB 703.** Relating to any Class 4 municipality; to authorize the

Legislature by local law to provide for the election and operation of the board of education in the municipality.

Also:

**HB 951.** Relating to Geneva County; providing a referendum on the question of making the duties of the chair of the county commission into a full-time position and separate from the office of judge of probate; to provide for compensation and an effective date.

Also:

**HB 985.** Relating to Madison County; amending Act 90-286, H. 719 of the 1990 Regular Session (Acts 1990, p. 379), prescribing the salary of the sheriff; to provide further therefor.

Also:

**HB 990.** Relating to Calhoun County; authorizing the sheriff to operate a jail store and telephone system for prisoners in county custody; providing for the deposit, distribution, and auditing of monies earned; and confirming and ratifying certain prior actions.

Also:

**HB 1020.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Pelham in Shelby County.

Also:

**HB 1029.** Relating to Blount County; to provide that the county commissioners may authorize the use of county personnel and county equipment to perform certain services when compensated for the services.

Also:

**HB 1030.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Geneva in Geneva County.

Also:

**HB 993.** Relating to Blount County; to amend Sections 5, 7, 13, and 17 of Act 93-712, H. 969, 1993 Regular Session, relating to the formation of fire and emergency medical services districts, to further provide for the annual payment of dues; to further provide for the annexation of an unincorporated area with 50 or more residences, businesses, and churches into a district; to further provide for a municipal-

ity contracting for fire and emergency medical services; to provide for the contracting for services by entities outside Blount County; and to further provide for the funding of municipalities' fire and emergency medical services.

Also:

**HB 1002.** To amend Section 1 of Act 940, H. 1956, 1973 Regular Session (Acts 1973, p. 1445), as amended, relating to Madison County and the Twenty-third Judicial Circuit; establishing the "District Attorney's Fund" and to further regulate the distribution of the fund; and specifically repealing Section 2 of Act 940, H. 1956, 1973 Regular Session (Acts 1973, p. 1445) relating to the fund.

Also:

**HB 1019.** To alter, rearrange, and extend the boundary lines and corporate limits of the City of Chelsea in Shelby County.

Also:

**HB 1049.** Relating to Lauderdale County; amending Act 86-411, 1986 Regular Session, as amended, relating to the county lodging tax, to increase the amount of the tax.

Also:

**HB 1050.** Relating to Hale County; authorizing the sheriff to operate a jail store and contract telephone installation for inmates; providing for the deposit of monies earned; and providing for the distribution and auditing of monies earned.

Also:

**HB 1055.** Relating to Pickens County; authorizing the sheriff to operate a jail store and contract telephone installation for inmates; providing for the deposit of monies earned; and providing for the distribution and auditing of monies earned.

Also:

**HB 1036.** Relating to Russell County; to establish a county commission; and to provide for the election of the members of the commission.

GREG PAPPAS,  
Clerk.

**SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 111.** To make an appropriation of \$35,750,373 from the Education Trust Fund and an appropriation of \$727,670 from Federal and Local Funds to the Department of Youth Services for the fiscal year ending September 30, 1998.

Also:

**HB 128.** To make an appropriation of \$45,000 from the Education Trust Fund to the Kate Duncan Smith DAR School for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**REPORT FROM RULES**

Senator Lindsey, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following

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Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Rebecca Reynolds Neal to the Alabama State Docks  
Advisory Board

On motion of Senator Mitchem, the appointment of Ms. Neal was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Promotion of Colonel Paul M. Majeric to the rank of Brigadier General

On motion of Senator Mitchem, the promotion of Colonel Majeric was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:



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Appointment of Tom Jackson to the Educational Television Commission

On motion of Senator Mitchem, the appointment of Mr. Jackson was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Jean Galloway to the Arts Education and Foreign Languages Courses of Study Committee

On motion of Senator Mitchem, the appointment of Ms. Galloway was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Coline Sheffield to the Credit Union Board

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On motion of Senator Mitchem, the appointment of Ms. Sheffield was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Lea Ellison to the Arts Education and Foreign Languages Courses of Study Committee

On motion of Senator Mitchem, the appointment of Ms. Ellison was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Katherine Rugg to the Cahaba Trace Commission

On motion of Senator Mitchem, the appointment of Ms. Rugg was confirmed by the Senate.

Yeas 35 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Daniel Stewart to the Cahaba Trace Commission

On motion of Senator Mitchem, the appointment of Mr. Stewart was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Thomas H. Howard to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Dr. Howard was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Linda Forte to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Mrs. Forte was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Kirit D. Chapatwala to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Dr. Chapatwala was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,

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Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Leroy Gradford to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Dr. Gradford was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Johnny W. Scott to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Dr. Scott was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Willie L. Strain to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Mr. Strain was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Arthur B. Scott to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Mr. Scott was confirmed by the Senate.

Yeas 29 Nays 0

Yeas:

Senators:

Adams, Armistead, Bailey, Barron, Bedford, Biddle, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -29

Nays: - 0

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Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Steven R. Goodman to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Dr. Goodman was confirmed by the Senate.

Yeas 27 Nays 0

Yeas:

Senators:

Armistead, Bailey, Bedford, Biddle, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, Smith, Waggoner, and Windom  
-27

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of William Lovett to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Mr. Lovett was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

**MESSAGE FROM THE GOVERNOR**

To the Alabama State Senate

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Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill 20, without the Governor's signature and approval, but with the following veto message.

Done this 19th day of May, 1997.

Respectfully submitted,

WILLIAM P. GRAY, JR.,  
Legal Advisor to the Governor.

To the Alabama State Senate  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill 20, without my signature and approval.

This bill is a raid on the General Fund of the State Treasury. It authorizes the issuance of \$12,000,000 in bonds, which will cost the State approximately \$1,000,000 annually for twenty years to service the debt. It further diverts money, which is currently dedicated to the General Fund for the provision of general governmental purposes. The source diverted is one of the few taxes (cellular telephones) in the General Fund which is considered a growth tax. This growth is sorely needed for general governmental purposes - - Medicaid, DHR, Corrections, etc.

This legislation authorizes the sale of tax exempt bonds and the distribution of the proceeds to twelve regional councils. This legislation fails to specify for what purposes the councils can use the money. If they should use the proceeds for taxable purposes, that use could jeopardize the tax exempt status of these bonds.

This legislation creates an authority. One third of the members of the authority are nonstate officials who are not directly or necessarily answerable for their actions to any taxpayer or elected official. The authority loses control over the expenditure and investment of the funds. Such loss of control could create problems with the IRS regarding rebate and arbitrage



and the State, since this is a general obligation bond issue, would be responsible. I cannot, in good conscience, turn the people's purse over to be spent by an authority which lacks this sort of accountability and over which elected officials have little control.

This legislation is also premature. Even if this bond issue is justifiable, it is unconstitutional until such time as the people approve its companion constitutional amendment. There is much work to be done. It would be more proper and appropriate to have a group of experts correct the technical problems which exist, if the people approve this enabling legislation.

For the foregoing reasons, I hereby veto Senate Bill 20. I encourage you to join me in this decision.

Done this 19th day of May, 1997.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

### GOVERNOR'S MESSAGE

The Senate received the foregoing Message from His Excellency, the Governor, returning the Bill, SB 20, without his approval.

On motion of Senator Freeman, the Senate reconsidered the Bill:

**SB 20.** To authorize the incorporation of the Alabama Revolving Loan Fund Authority; to provide for its governance and to confer upon it certain powers; to grant to the Authority the power to issue not exceeding \$12,000,000 principal amount of bonds for the purpose of making grants of revolving loan funds to the several regional planning and development commissions; to appropriate to the Authority and pledge for payment of the principal of and interest on the bonds proceeds from the levy of the privilege or license tax on cellular radio telecommunication service to the extent necessary to pay the principal and interest at their respective maturities; to provide for the details of the bonds and for the terms of sale thereof; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to provide that the Department of Economic and Community Affairs shall

perform administrative and recordkeeping functions on behalf of the Authority; to provide for the dissolution of the Authority and to provide for an effective date, subject to the passage of Senate Bill \_\_\_\_\_ of the 1997 Regular Legislative Session.

And said Bill, SB 20, was again read at length and passed by a vote of the majority of the whole number elected to the Senate, said vote being: Yeas 21 Nays 6, the Governor's veto to the contrary notwithstanding.

Yeas:

Senators:

Amari, Bailey, Barron, Biddle, Davidson, Denton, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lindsey, Little, McClain, Mitchell, Mitchem, Myers, Roberts, Sanders, and Steele -21

Nays:

Senators:

Adams, Armistead, Dixon, Lipscomb, Smith, and Waggoner - 6

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

**SB 57.** Regulating the installing and servicing of alarm systems; and the providing of locksmith services; creating the Alabama Electronic Security Board of Licensure and specifying its composition, powers, and duties; specifying it is subject to the Alabama Sunset Law; creating a special fund to be known as the Alabama Electronic Security Board of Licensure Fund; providing for an appropriation from the fund to the board for the fiscal year ending September 30, 1998, in an amount deemed necessary by the board; providing for the licensure process, fees, violations, enforcement, application, and monetary, civil, and criminal penalties; and excluding from application counties with certain populations.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Barron, the Senate concurred in and adopted the following House amendment to the Bill, SB 57, the title of which is set out in the foregoing Message from the House, to-wit:

**SUBSTITUTE FOR SB 57**

**A BILL  
TO BE ENTITLED  
AN ACT**

Regulating the installing and servicing of alarm systems; creating the Alabama Electronic Security Board of Licensure and specifying its composition, powers, and duties; specifying it is subject to the Alabama Sunset Law; creating a special fund to be known as the Alabama Electronic Security Board of Licensure Fund; providing for an appropriation from the fund to the board for the fiscal year ending September 30, 1998, in an amount deemed necessary by the board; providing for the licensure process, fees, violations, enforcement, application, and monetary, civil, and criminal penalties; and excluding from application counties with certain populations.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. For the purpose of regulating alarm system installers, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(1) **ALARM SYSTEM.** Burglar alarms, television cameras, or other electrical or electronic device used to prevent or detect burglary, theft, shoplifting, pilferage, and other similar losses. The term does not include any fire detection, fire alarm, or fire communication system.

(2) **ALARM SYSTEM INSTALLER.** A person or business entity that offers to undertake, represents itself as being able to undertake, or does undertake the installation or service, or both, of alarm systems for the public for any type of compensation.

(3) **BURGLAR ALARM.** An assembly of equipment and devices, or a single device such as a solid-state unit which plugs directly into an AC line, designed to detect an unauthorized intrusion or an attempted robbery at a protected premises or signal public police or private guards to respond, or both.

(4) **INSTALLATION.** The initial placement of equipment or the extension, modification, or alteration of equipment after initial placement.

(5) **SERVICE.** Necessary repair in order to return the system to operational condition.

Section 2. (a) The Alabama Electronic Security Board of Licensure is created.

(b) The board, which shall reflect the racial, gender, geographic, urban and rural, and economic diversity of the state, shall consist of the following members to be appointed by the Governor:

(1) One member representing the alarm system industry selected from three nominees submitted by the Alabama Alarm Association.

(2) One member of the Alabama Consulting Engineers Association selected from three nominees submitted by that association.

(3) One member of the Alabama Sheriff's Association selected from three nominees submitted by that association.

(4) One member who is an alarm system manufacturer selected from three nominees submitted by the Alabama Alarm Association.

(5) A person who is a representative of the consumers of the state.

(c)(1) The terms of the board members shall be four years.

(2) Of these members first appointed, two shall be appointed to four-year terms, two for three-year terms, and one for a two-year term.

(3) Any vacancy occurring other than by expiration of terms shall be filled for the remainder of the unexpired term by appointment by the Governor, subject to the nominating process specified in subsection (b).

(4) No member shall serve more than two successive four-year terms.

(5) A member shall serve until a successor is appointed and assumes office.

(d) Members shall be paid out of the funds of the board the same per diem as prescribed by law for state employees for each day of attendance of board business.

(e) Meetings shall be held at least four times per year. Special meetings shall be held at the call of the chair or by a majority of the members.

(f)(1) The board may adopt rules of proceedings.

(2) A majority of the board constitutes a quorum.

(3) The board shall elect a chair on an annual basis.

Section 3. The board shall have all of the following powers:

(1) License and regulate persons and business entities engaged in business as an alarm system installer.

(2) Establish the qualifications for licensure to ensure competency and integrity to engage in these businesses.

(3) Examine, or cause to be examined, the qualifications of each applicant for licensure including the preparation, administration, and grading of examinations, and when necessary, requiring the applicant to supply a board approved background investigation.

(4) License qualified applicants regulated by the board.

(5) Revoke, suspend, or fail to renew a license for just cause as enumerated in the regulations of the board.

(6) Levy and collect reasonable fees for licensure, including, but not limited to, the application process and testing of applicants, and renewal, suspension, and reissuance of licenses, and costs of necessary hearings, that are sufficient to cover all expenses for the administration and operation of the board.

(7) Promulgate rules and regulations in accordance with the Administrative Procedure Act necessary to perform its duties, to ensure continued competency, to prevent deceptive, misleading, or criminal practices by its licensees, and to effectively administer the regulatory system administered by the board.

(8) Register or by other means monitor employees of a licensee to ensure such employees do not impair the ability of the licensee to satisfy the requirements of this act.

(9) Receive complaints concerning the conduct of any person or business entity whose activities are regulated by the board and to take appropriate disciplinary action if warranted.

(10) Ensure that periodic inspections are conducted relating to the operations of licensees to ensure competency and lawful compliance.

(11) Require the purchase of comprehensive liability insurance related to business activities in a minimum specified amount.

(12) Require licensees and employees of licensees have available a

photo identification card at all times when providing licensed services.

(13) Promulgate canons of ethics under which the regulated professional activities of persons and business entities shall be conducted.

(14) Employ or contract for necessary personnel, including a director, and provide necessary offices, supplies, and equipment to fulfill the requirements of this act.

(15) Delegate its powers and duties by resolution to a named designee.

(16) Enter into contracts and expend funds of the board to fulfill the requirements of this act.

(17) Borrow money for the initial start-up operation of the board until sufficient receipts are paid into the special revenue trust fund specified in Section 9.

Section 4. (a) The board shall promulgate regulations and standards for the training and licensing of alarm system installers. The board shall examine and license and may establish classifications of training and licensing for this business.

(b) The board shall, after a public hearing and consultation with persons who are knowledgeable regarding the business and pursuant to the Alabama Administrative Procedure Act, establish by board rules or regulations competency standards and any changes of the standards.

(c) The board may evaluate the competency of applicants for licenses. The board may either develop and administer an examination to evaluate competency, or rely on an examination developed and administered by a national or regional professional association.

Section 5. (a) The board shall issue licenses authorized by this act to all qualified individuals in accordance with rules or regulations established by the board.

(b) The annual license fee as set by the board shall not exceed one hundred fifty dollars (\$150) for an individual and seven hundred fifty dollars (\$750) for a business entity.

(c) The license shall not be transferred or assigned and is valid only with respect to the person to whom it is issued.

(d)(1) No license shall be granted if the applicant has had any prior business license revoked for fraud, misrepresentation, or any other act that would constitute a violation of this act.

(2)a. An applicant shall not be refused a license solely because of a prior criminal conviction, unless the criminal conviction directly relates to the occupation or profession for which the license is sought. The board may refuse a license if, based on all the information available, including the applicant's record of prior convictions, the board finds that the applicant is unfit or unsuited to engage in the business.

b. The board may consult with appropriate state or federal law enforcement authorities to verify whether an applicant has a criminal record prior to granting any license and, as an aid to this duty, each applicant may be required to provide his or her fingerprints and complete an affidavit of his or her criminal record, if any, as a part of the application. The board may periodically consult with state and federal law enforcement officials to determine whether current licensees have new criminal convictions.

(e) Any license granted pursuant to this act shall expire December 31 of each year unless it is renewed pursuant to regulations established by the board or unless it is suspended or revoked.

(f) An affirmative vote of a majority of board members shall be required before any action to suspend or revoke a license, to impose a sanction on a licensee, or to levy a monetary penalty. A board member shall disqualify himself or herself and withdraw from any case in which he or she cannot accord fair and impartial consideration.

(g) A nonresident of this state may be licensed by meeting one of the following requirements:

(1) Conforming to the provisions of this act and the regulations of the board.

(2) Holding a valid license in another state with which reciprocity has been established by the board.

(h) A licensee shall display the license at its normal place of business and in a manner easily readable by the general public.

(i) A notice shall be displayed prominently in the place of business of each licensee regulated pursuant to this act containing the name, mailing address, and telephone number of the board, and a statement informing consumers that complaints against licensees may be directed to the board.

(j) The license number of a licensee shall be displayed in all advertising.

(k) The board shall prepare information of consumer interest describing the regulatory functions and describing the procedures of the board by which consumer complaints shall be filed with and resolved by the board. The board shall make the information available to the general public and appropriate state agencies. The board shall provide upon request a listing of all licensees. The board may collect a fee for the cost of duplicating and mailing materials.

(l) Each written contract for services in the state of a licensee shall contain the name, mailing address, and telephone number of the board and a statement informing consumers that complaints against licensees may be directed to the board.

(m) Notice of the issuance, revocation, reinstatement, or expiration of every license issued by the board shall be furnished to the sheriff of the county and the chief of police, as appropriate, and the inspection department of the city where the principal place of business of a licensee is located.

(n) Information contained in alarm system records held by the board concerning the location of an alarm system, the name of the occupant residing at the alarm system location, or the type of alarm system used shall be confidential and disclosed only to the board or as otherwise required by law.

Section 6. The licensing and regulatory provision of this act shall not apply to any of the following persons, entities, or activities:

(1) A person or business entity which sells alarm systems at the premises of the customer and does not install, service, or respond to the alarm system at the premises of the customer.

(2) The installation, servicing, or responding to an alarm device which is installed in a motor vehicle, aircraft, or boat.

(3) The installation of an alarm system on property owned by or leased to the installer.

(4) A locksmith who does not install or service alarm systems.

(5) A person or business entity who owns or installs alarm systems, on his or her own property or, if he or she does not charge for the system or its installation, installs it for the protection of his or her personal property



located on the property of another, and does not install the system as a normal business practice on the property of another.

(6) A person or business entity whose sale of an alarm system is exclusively over-the-counter or by mail order.

(7) A person or business entity in the business of building construction that installs electrical wiring and devices that may include in part the installation of an alarm system if both of the following apply:

a. The person or business entity is a party to a contract that provides that the installation shall be performed under the direct supervision of, inspected, and certified by a person or business entity licensed to install an alarm system and that the licensee assumes full responsibility for the installation and service of the alarm system.

b. The person or business entity does not service or maintain the alarm system.

(8) The response to an alarm system by a law enforcement agency or by a law enforcement officer acting in an official capacity.

(9) A business that engages in the installation or operation of telecommunications facilities or equipment which are used for the transport of any signal, data, or information outside the continuous premises on which any alarm system is installed or maintained.

(10) Any business entity, business owner, or person, or the agent or employee of such business entity, business owner, or person engaging in the routine visual inspection or manufacturer's or installer's recommended testing of an alarm system subject to this act owned by the business entity, business owner, or person and installed on property under the control of the business entity, business owner, or person.

(11) Any business entity, or person, or those engaged in property management, or agent or subcontractors or employees thereof, who, in the normal course of business, engage in the routine inspection, service, or replacement of such alarm systems, fire alarm or fire/smoke detection systems, fire communication systems, or security devices subject to this act, on or in property owned or under the control of such business entity, or person, or property manager.

(12) Consulting engineers who design, develop, modify, or offer other services within the scope of their profession regarding alarm systems.

(13) A licensed general contractor and the employees of the contractor whose activities are limited to the projects of the licensed general contractor.

(14) An electrician who is licensed by the state as an electrical contractor or an electrician who is licensed by the city or county as a master electrician.

(15) A licensed homebuilder and the employees of the homebuilder whose activities are limited to the projects of the licensed homebuilder.

Section 7. (a) Effective January 1, 1998, it shall be unlawful for any person or business entity to engage in a business regulated by this act in this state without a current valid license or in violation of this act and applicable rules and regulations of the board.

(b) Effective January 1, 1998, it shall be unlawful for a person or business entity not licensed under this act to advertise or hold out to the public that he or she is a licensee of the board.

(c) Any person or business entity who violates this act or any order, rule, or regulation of the board shall be guilty of a Class A misdemeanor.

(d) Effective January 1, 1998, it shall also constitute a Class A misdemeanor to willfully or intentionally do any of the following:

(1) Obliterate the serial number on an alarm system for the purpose of falsifying service reports.

(2) Knowingly and deliberately improperly install an alarm system, or knowingly and deliberately improperly service such a system.

(3) While holding a license, allow another person or business entity to use the license or license number.

(4) Use, or permit the use of, any license by a person or business entity other than the one to whom the license is issued.

(5) Use any credential, method, means, or practice to impersonate a representative of the board.

(6) Make use of any designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly licensed.

(7) Make use of any title, words, letters, or abbreviations which may reasonably be confused with a designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly licensed.

(8) Provide material misrepresenting facts in an application for licensure or in other communications with the board.

(9) Refuse to furnish the board information or records required or requested pursuant to statute or regulation.

(e) The board may institute proceedings in equity to enjoin any person or business entity from engaging in any unlawful act enumerated in this act. Such proceedings shall be brought in the name of this state by the board in the circuit court of the city or county in which the unlawful act occurred or in which the defendant resides.

(f) In addition to any other disciplinary action taken by the board, any person or business entity licensed by the board who violates this act or rule or regulation promulgated pursuant to this act shall be subject to a monetary penalty. If the board determines that the person is in fact guilty of the violation, the board shall determine the amount of the monetary penalty for the violation, which shall not exceed one thousand dollars (\$1,000) for each violation. The board may file a civil action to collect the penalty.

(g) The board is entitled to costs and reasonable attorney fees in any civil action in which it prevails.

Section 8. (a) This act and the rules and regulations promulgated pursuant to this act shall have uniform force and effect throughout the state. A municipality or county shall not enact an order, ordinance, rule, or regulation requiring a person or business entity to obtain a certification from the municipality or county, other than proof of a valid license issued by the board.

(b) This act shall not affect any general statute or municipal ordinance requiring a business license for an alarm system installer.

(c) Nothing in this act limits the power of a municipality, a county, or the state to require the submission and approval of plans and specifications or to regulate the quality and character of work performed by contractors through a system of licenses, fees, and inspections otherwise authorized by law for the protection of the public health and safety.

Section 9. A separate special revenue trust fund in the State Treas-

sure to be known as the Alabama Electronic Security Board of Licensure Fund is established. All receipts collected by the board under this act are to be deposited into this fund and shall be used only to carry out the provisions of this act. The receipts shall be disbursed only by warrant of the State Comptroller upon the State Treasury, upon itemized vouchers approved by the chair of the board. No funds shall be withdrawn or expended except as budgeted and allotted according to Sections 41-4-80 to 41-4-96, inclusive, and 41-19-1 to 41-19-12, inclusive, Code of Alabama 1975, and only in amounts as stipulated in the general appropriations bill or other appropriations bills.

Section 10. There is appropriated from the Alabama Electronic Security Board of Licensure Fund to the Alabama Electronic Security Board of Licensure such amount as is deemed necessary by the board for fiscal year 1997-98.

Section 11. This act shall not apply in counties having populations of less than 30,000 inhabitants according to the most recent decennial census, unless the county commission of such a county, by the adoption of a resolution, irrevocably elects to be covered by this act.

Section 12. The Alabama Electronic Security Board of Licensure is subject to the provisions of the Alabama Sunset Law of 1981, and is classified as an enumerated agency pursuant to Section 41-20-3, Code of Alabama 1975. The board shall automatically terminate on October 1, 2000, and every four years thereafter, unless a bill is passed that the board be continued, modified, or reestablished.

Section 13. All laws or parts of laws which conflict with this act are repealed.

Section 14. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

Section 15. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

Yeas 27 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb,

Little, McClain, Mitchell, Myers, Roberts, Sanders, Smith, Steele, and  
Waggoner -27

Nays: - 0

**MESSAGE FROM THE GOVERNOR**

To the Alabama State Senate  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill 292, without the Governor's signature and approval, but with the following Executive Amendment.

Done this 19th day of May, 1997.

Respectfully submitted,

WILLIAM P. GRAY, JR.  
Legal Advisor to the Governor.

To the Alabama State Senate  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you the body in which it originated, Senate Bill No. 292, without my signature, but with the following suggested Executive Amendment:

**EXECUTIVE AMENDMENT TO SENATE BILL NUMBER 292:**

Please amend Senate Bill No. 292 on page 1, line 14, by deleting the words Office of the Attorney General and inserting in lieu thereof the words "Department of Labor, Office on ADA"

Further amend on page 1, line 18, by deleting the language Office of the Attorney General, and inserting in lieu thereof the words "Department of Labor, Office on ADA"

Further amend on page 1, line 21, by deleting the word "immediately" and inserting in lieu thereof the language "after the inclusion of

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adequate funding to operate this toll-free telephone number in the General Appropriations Act (House Bill 98 of the 1997 Regular Session of the Alabama Legislature) and”

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done this 19th day of May, 1997.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

### **GOVERNOR’S MESSAGE**

On motion of Senator Ghee, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

**SB 292.** To establish a toll-free telephone number in the Office of the Attorney General for reports of violations of the Americans with Disabilities Act.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 27 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Butler, Clay, Davidson, Denton, Dial, Dixon, Figures, Freeman, Ghee, Hale, Langford, Lindsey, Lipscomb, Little, Mitchell, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom  
-27

Nays:

- 0

which was a majority of the whole number elected to the Senate.

### **MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning

REGULAR SESSION  
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Senate Bill No. 123, without the Governor's signature and approval, but with the following veto message.

Done this 19th day of May, 1997.

Respectfully submitted,

WILLIAM P. GRAY, JR.,  
Legal Advisor to the Governor.

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you the body in which it originated, Senate Bill No. 123, without my signature and approval.

While I greatly commend the Habitat for Humanity, whose founder, Millard Fuller, I grew up with and who is, to this day, a good friend; and while I applaud the many good works which its members do, this legislation violates §99 of the Constitution which prohibits the state of Alabama from transferring or giving away land which belongs to it or which is under its control to a private organization. There are many other such worthy causes, like the American Red Cross, the American Lung Association, the Salvation Army, and the American Cancer Society, just to name a few, all of which work makes Alabama a better place to live and which touch the lives of thousands every year. We can and should make personal contributions to these groups to advance their efforts and help our fellow man, but we should not and cannot give state property to them.

For the foregoing reasons, I hereby veto Senate Bill No. 123. I encourage you to join me in this decision.

Done this 19th day of May, 1997.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

**GOVERNOR'S MESSAGE**

The Senate received the foregoing Message from His Excellency,

the Governor, returning the Bill, SB 123, without his approval.

On motion of Senator Butler, the Senate reconsidered the Bill:

**SB 123.** To amend Section 20-2-93 of the Code of Alabama 1975, relating to the seizure and forfeiture of property involving controlled substances, to allow the law enforcement agency to transfer seized real property or real estate to the Habitat for Humanity Organization within the area of the seized property.

And said Bill, SB 123, was again read at length and lost, the Governor's veto sustained.

Yeas 14 Nays 13

Yeas:

Senators:

Bailey, Barron, Biddle, Butler, Freeman, Ghee, Langford, Lindsey, McClain, Mitchell, Poole, Roberts, Sanders, and Steele -14

Nays:

Senators:

Adams, Amari, Davidson, Denton, Dial, Dixon, Hale, Hill, Lipscomb, Little, Myers, Smith, and Waggoner -13

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, and finds same correctly enrolled, to-wit:

**SJR 170.** COMMENDING THE GRAND BAY HIGH SCHOOL TIGERS BASEBALL TEAM FOR OUTSTANDING ACHIEVEMENT.

PAT LINDSEY,  
Chairperson.

## SIGNING OF RESOLUTIONS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had



been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Rules.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 226.** To amend Section 36-16-8 of the Code of Alabama 1975, to provide further for duties of the State Auditor related to inventory control of state property.

Also:

**SB 502.** To amend Sections 34-11-1, 34-11-2, 34-11-3, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-14, 34-11-15, 34-11-30, 34-11-31, 34-11-32, 34-11-34, 34-11-35, 34-11-36, 34-11-37, and 11-6-21 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors; to rename the board; to regulate the registration and fees, with expiration and renewal requirements for registration; to provide further for the issuance of certificates of authorization to certain corporations, partnerships, or firms practicing engineering or land surveying; to regulate further the compensation, powers, and duties of the members of the board; to regulate corporate practice; and to provide for penalties.

Also:

**SB 630.** To amend Section 40-13-6, Code of Alabama 1975, to provide for disbursement and appropriation of proceeds from certain coal severance taxes.

PAT LINDSEY,  
Chairperson.

## SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the

foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

**SB 462.** To consolidate into one office the Administrative Law Judges or Hearing Officers; to provide for the appointment of a Chief Administrative Law Judge and administrative law judges; and to provide for qualifications, compensation, powers, and duties of the office and the positions.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Lindsey, the Senate concurred in and adopted the following House amendment to the Bill, SB 462, the title of which is set out in the foregoing Message from the House, to-wit:

### SUBSTITUTE FOR SB 462

#### A BILL TO BE ENTITLED AN ACT

To consolidate into one office the Administrative Law Judges or Hearing Officers; to provide for the appointment of a Chief Administrative Law Judge and administrative law judges; and to provide for qualifications, compensation, powers, and duties of the office and the positions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Administrative Law Judges or Hearing Officers are consolidated into an independent unit in the Executive Branch of State Government.

Section 2. Except as provided in this act, the office shall hear all contested cases or other hearings from agencies subject to the rulemaking procedures of the Administrative Procedure Act which are to be heard by

an administrative law judge or hearing officer, which cases are, under the provisions of the Administrative Procedure Act or under the Taxpayers' Bill of Rights, subject to appeal of the decision to the circuit courts of the State of Alabama. Nothing contained in this act shall restrict or otherwise pertain to the right of any agency head or governing body of any agency to hear contested cases without delegation or assignment to a hearing officer or other party. It is the intent of the Legislature that this act apply to all contested cases or other hearings heard by hearing officers or administrative law judge in agencies subject to the rulemaking procedures of the Administrative Procedure Act, which act provides for an appeal to the circuit courts of this state of any decision rendered therein. This act shall apply to any administrative law judge of the Department of Revenue and hearings conducted by the Department of Revenue. This act does not diminish in any respect that certain act known as the Alabama Taxpayers' Bill of Rights and Uniform Revenue Procedure Act which shall remain in full force and effect as provided for therein, and which shall apply to Revenue Department appeals heard by any administrative law judge. All such appeals must be transferred as soon as filed with the Administrative Law Division of the Revenue Department to the office established pursuant to this act. The intent of this act is to transfer the Chief Administrative Law Judge of the Revenue Department to the office created by this act in the same manner as other hearing officers, their support personnel, furnishings, appropriations, and other aspects of their offices are also transferred.

Section 3. (a) This act shall not apply to any agency not subject to the rulemaking procedures of the Alabama Administrative Procedure Act, and specifically the following:

- (1) An agency of the legislative branch.
  - (2) An agency of the judicial branch.
  - (3) The Governor.
  - (4) The Alabama Board of Pardons and Paroles.
  - (5) The Public Service Commission.
  - (6) The Department of Industrial Relations.
  - (7) The Department of Public Safety.
  - (8) The State Personnel Department and the State Personnel Board.
- (b) Except as provided in subsection (a), this act shall apply to

each agency that employs or engages one or more hearing officers or administrative law judges, either full-time or part-time, to adjudicate contested cases under the Administrative Procedure Act or Taxpayers' Bill of Rights unless the agency has been exempted by the Governor under subsection (c).

(c) Until three years after the effective date of this act, the Governor may temporarily exempt an agency which employs part-time hearing officers from this act.

Section 4. (a) The office shall be headed by a Chief Administrative Law Judge and any successor appointed to a six-year term by a majority vote of a committee consisting of the Governor, Lieutenant Governor, and Speaker of the House. The initial appointment to the office shall be made by August 31, 1997. If the committee fails to make an appointment by August 31, 1997, the Chief Justice of the Alabama Supreme Court shall appoint an acting chief administrative law judge until the committee makes an appointment.

(b) To be eligible for appointment as Chief Administrative Law Judge, a person shall have been admitted to the practice of law in the State of Alabama and engaged in the practice of law, with a substantial practice in administrative law, for a period of at least 10 years or have five years experience as an administrative law judge or hearing officer for a federal or state governmental agency.

(c) The Chief Administrative Law Judge shall receive a salary under the range established for an Attorney IV under the state merit system and shall receive all benefits received by employees of the state merit system, including, but not limited to, state employee retirement benefits and participation in the state employee health care program.

(d) A person appointed as Chief Administrative Law Judge shall devote full-time to the duties of the office. The Chief Administrative Law Judge shall serve until a successor is appointed and qualified.

Section 5. (a) The Chief Administrative Law Judge shall do all of the following:

(1) Supervise the Office of Administrative Hearings.

(2) Appoint and remove administrative law judges and other staff as necessary pursuant to the state merit system and pursuant to this act.

(3) Assign administrative law judges to conduct hearings in contested cases.

(4) Establish classifications for case assignment on the basis of subject matter, expertise, and case complexity.

(5) Establish and implement standards and specialized training programs and provide materials for administrative law judges.

(6) Provide and coordinate continuing education programs and services for administrative law judges, including mediation training, conducting research, providing technical assistance and technical and professional publications, compiling and disseminating information, and advising of changes in the law relative to their duties.

(7) Develop model rules of procedure and other guidelines for administrative hearings.

(8) Develop a code of professional responsibility for administrative law judges.

(9) Monitor the quality of state administrative hearings.

(10) Submit an annual report on the activities of the office to the Governor, the Lieutenant Governor, and to the Speaker of the House of Representatives.

(11) Meet and confer regularly with the Advisory Council on Administrative Hearings.

(b) The Chief Administrative Law Judge may do any of the following:

(1) Serve as an administrative law judge in a contested case.

(2) Furnish administrative law judges on a contractual basis to other governmental entities.

(3) Accept and expend funds, grants, gifts, and services from any public or private source for the office subject to existing law.

(4) Enter into agreements and contracts with any public or private agencies or educational institutions.

(5) Adopt rules and regulations to implement this act pursuant to the Administrative Procedure Act.

Section 6. (a) The Chief Administrative Law Judge shall appoint

administrative law judges pursuant to the merit system from lists of Attorney III's submitted to the Chief Administrative Law Judge by the State Personnel Department.

(b) Persons appointed as administrative law judges shall receive the compensation designated by the Chief Administrative Law Judge from the range established for an Attorney III position by the State Personnel Department.

(c) Persons appointed as administrative law judges shall devote full time to the duties of the position and may not engage in activities inconsistent with the duties and responsibilities of an administrative law judge, including, but not limited to, the private practice of law.

(d) An administrative law judge may not be responsible to or subject to the supervision or direction of an officer, employee, or agent engaged in the performance of investigative, prosecuting, or advisory functions of any state agency other than the Office of Administrative Hearings.

Section 7. The Chief Administrative Law Judge and administrative law judges may administer oaths to any person appearing before them in a contested case or hearing.

Section 8. (a) An administrative law judge may summon witnesses and require the production of books, records, papers, or other tangible things at any hearing before the office, upon any matter within its jurisdiction. Witnesses may be summoned by any party to the proceeding in the same manner, be paid the same fees, and be subject to the same penalties as witnesses in civil cases before the circuit courts of this state.

(b) An administrative law judge may apply, upon affidavit, to any judge of a circuit court for an order, returnable in not less than two nor more than five days, to show cause why a person should not be committed to jail for refusal to comply with an order issued pursuant to subsection (a).

(c) On the return of an order issued pursuant to subsection (b), if the judge hearing the matter determines that the person is guilty of refusing to comply with the order of the administrative law judge, the judge may commit the offender to jail or provide otherwise as in cases of civil contempt.

Section 9. An administrative law judge may issue a stay of any order or decision of an agency to protect the jurisdiction of the office or to prevent a miscarriage of justice. The issuance of any stay shall be in effect until a hearing is held or to allow an appeal to be made to the proper reviewing court.

Section 10. (a) All units of state government shall cooperate with the Chief Administrative Law Judge in the discharge of the duties of the office.

(b) The office shall be subject to audit and examination by the Office of Examiners of Public Accounts.

(c) Except as may be provided in this act or in the regulations adopted pursuant to this act, an agency may not select or reject a particular administrative law judge for a particular proceeding.

Section 11. If the office is unable to assign an administrative law judge in response to a request from an agency, the Chief Administrative Law Judge shall designate in writing an individual who meets the qualifications for an administrative law judge as established by the office to serve as an administrative law judge in a proceeding before the agency.

Section 12. The office shall be bound by any agency regulation, declaratory ruling, prior adjudication, or other settled, preexisting policy, to the same extent as the agency is or would have been bound if it were hearing the case.

Section 13. (a) The office shall have final decision making responsibility in all hearings established by law or as authorized by any agency, subject to the right of appeal as provided in the Administrative Procedure Act or Taxpayers' Bill of Rights.

(b) Unless otherwise provided by law or by designation of an agency, the office shall make proposed findings or decisions to an agency.

(c) If a hearing is delegated to the office by an agency, the agency may not rescind, withdraw, or modify its delegation after the office has received the delegation.

Section 14. In the hearing of a proposed decision or order received from the office, the chief executive or governing body of the agency may not modify, reverse, or remand the recommended decision of the office except in accordance with law.

Section 15. The Office of Space Management of the Department of Finance shall provide the office with office space in consultation with the Judicial Building space manager.

Section 16. (a) Following the effective date of this act, any full-time hearing officer or administrative law judge meeting the qualifications

for administrative law judge under this act and serving on April 15, 1997, in an agency covered by this act shall be administratively transferred to the Office of Administrative Hearings. Any person transferred pursuant to this section shall be continued in the same classification which he or she held under the state merit system prior to the transfer. Any person transferred pursuant to this section now serving in the classification of Chief Administrative Law Judge shall continue in the same salary range, but under the designation of administrative law judge, unless appointed as the Chief Administrative Law Judge. Within the same time restrictions, all full-time staff of covered agencies who have exclusively or principally served as support staff for administrative hearings shall be administratively transferred to the Office of Administrative Hearings. All equipment or other tangible property in possession of covered agencies which is used or held exclusively or principally by personnel transferred under this section shall be transferred to the Office of Administrative Hearings within the same time period provided in this act.

(b) The Chief Administrative Law Judge shall assess agencies the costs of services rendered to them in the conduct of hearings, and provide the agencies with a breakdown of how the costs were determined. These assessments shall be made after consultation with the Office of the State Finance Director. All agencies who have had employees, furniture, equipment, and appropriations transferred pursuant to this act, shall not be billed for services rendered in fiscal year 1997-1998.

(c) All funds appropriated to or otherwise received by the office shall be deposited in a separate fund in the State Treasury, the Office of Administrative Hearings Fund, to be expended by the office at the direction of the Chief Administrative Law Judge for the administration and enforcement of this act. No money shall be withdrawn or expended from the Office of Administrative Hearings Fund for any purpose unless appropriated by the Legislature and budgeted and allotted pursuant to the Budget Management Act in accordance with Article 4 of Chapter 4 of Title 41, Code of Alabama 1975. At the end of any fiscal year, any unexpended or unencumbered monies deposited in the fund from any source, except appropriations from other state funds, shall remain in the fund. Any funds appropriated to any agency for the payment of salaries, benefits, or other expenses for any officers and employees transferred to the office of Administrative Hearings pursuant to this act shall be transferred to the Administrative Hearings Fund as appropriations for the purposes of this act.

Section 17. (a) There is created the State Advisory Council on Administrative Hearings.

(b) The council shall consist of nine members.



(c) The nine council members shall consist of the following:

(1) One council member shall be a member of the State Senate to be appointed by the Lieutenant Governor.

(2) One council member shall be a member of the State House of Representatives to be appointed by the Speaker of the House.

(3) One council member shall be the Attorney General or the designee of the Attorney General.

(4) Two council members shall be department heads or their designees from agencies involved in the adjudication of contested cases before the office to be appointed by the Governor.

(5) Two council members shall represent the State Bar Association to be appointed by the Attorney General.

(6) Two council members shall be from the general public, one to be appointed by the Lieutenant Governor and one to be appointed by the Speaker of the House.

Section 18. (a)(1) The term of a member of the council shall be four years and a council member may serve for more than one term.

(2) The terms of the council members shall be staggered. The initial members of the council appointed pursuant to subdivisions (1), (2), (3), and (4) of Section 17 shall be appointed for terms of two years commencing from January 1 after the effective date of this act. The initial members of the council appointed pursuant to subdivisions (5) and (6) shall be appointed for terms of four years commencing from January 1 after the effective date of this act.

(3) A council member shall not be disqualified by virtue of being engaged in the practice of law and he or she regularly appears as an attorney before the office.

(b) The council shall elect a chair from among its members to serve a term as set by the council.

(c) A member of the council shall receive no compensation, but shall be entitled to reimbursement for expenses pursuant to Sections 36-7-20 to 36-7-22, inclusive, of the Code of Alabama 1975.

Section 19. (a) The council shall have the following powers and duties:

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(1) Advise the Chief Administrative Law Judge in carrying out the duties of the office.

(2) Identify issues of importance to administrative law judges that should be addressed by the Chief Administrative Law Judge.

(3) Review issues and problems relating to administrative hearings and the administrative process.

(4) Review and comment upon policies and regulations proposed by the Chief Administrative Law Judge.

(5) Conduct a study of agencies which employ hearing officers to adjudicate contested case hearings which have been exempted by the Governor pursuant to subsection (c) of Section 3 or which are not subject to the Administrative Procedure Act and recommend to the Governor those agencies for which the exemption should be continued or extinguished, or should be made subject to the Administrative Procedure Act.

(b) The council shall meet at a regular time and place as determined by the council.

Section 20. The Office of Administrative Hearings shall begin operation on October 1, 1997.

Section 21. The provisions of this act are severable and any determination as to the invalidity or unconstitutionality of any portion hereof shall not affect the remaining provisions.

Section 22. All laws or parts of laws which conflict with this act are repealed.

Section 23. This act shall become effective upon its approval and signature by the Governor or upon its otherwise becoming a law.

Yeas 26 Nays 0

Yeas:

Senators:

Adams, Bailey, Barron, Biddle, Davidson, Denton, Dial, Dixon, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Smith, Steele, and Windom -26

Nays:

- 0

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 108, without the Governor's signature and approval, but with the following Executive Amendment.

Done this 19th day of May, 1997.

Respectfully submitted,

WILLIAM P. GRAY, JR.,  
Legal Advisor to the Governor.

To the Senate of Alabama  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you the body in which it originated, Senate Bill No. 108, without my signature, but with the following suggested Executive Amendment:

**EXECUTIVE AMENDMENT TO SENATE BILL NUMBER 108:**

Please amend Senate Bill No. 108 on page 1, lines 19 through 29 by deleting Section 1. in its entirety and inserting in lieu thereof the following language

"Section 1. The Teachers' Retirement System of Alabama is authorized to transfer back to the Alabama Department of Economic and Community Affairs the balance of the \$300,000 appropriated to the Department for retirement cost of community action agencies for the 1994-95 fiscal year by Act 94-486 and the balance of the \$300,000 so appropriated for the 1995-96 fiscal year by Act 95-740 which has not been credited to a participating community action agency, such money having been prematurely transferred and not constituting an asset of the Retirement System held for the purpose of paying benefits or for the administration of the System. Such funds upon return to ADECA shall revert to the State General Fund."

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“Section 2. In addition to all other appropriations heretofore or hereafter made there is hereby appropriated to ADECA for FY 1996-97 from the State General Fund such amount as is reverted to the State General Fund by ADECA by this Act, to be remitted to the community action agencies within 30 days.”

Further amend on page 1, line 30 by removing the number “2” after the word “Section” and replacing it with the number “3”

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done this 19th day of May, 1997.

Respectfully submitted,

FOB JAMES, JR.,  
Governor.

**GOVERNOR’S MESSAGE**

On motion of Senator Langford, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

**SB 108.** To provide for ADECA to receive the balance of the unexpended amounts from each of the \$300,000 appropriated in fiscal years 1994-95 and 1995-96 for retirement at Community Action Agencies; and to provide for the remittance of the amounts by ADECA to the Community Action Agencies.

which said amendment is set out in the foregoing Message from the Governor, by a vote of

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

which was a majority of the whole number elected to the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

**SB 168.** To amend Section 13A-7-29, Code of Alabama 1975, relating to the offense of criminal littering to provide for prima facie evidence for certain material found in the litter.

GREG PAPPAS,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Mitchell, the Senate concurred in and adopted the following House amendment to the Bill, SB 168, the title of which is set out in the foregoing Message from the House, to-wit:

**SUBSTITUTE FOR SB 168**

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 13A-7-29, Code of Alabama 1975, relating to the offense of criminal littering to provide for a rebuttable presumption for certain material found in the litter.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-7-29, Code of Alabama 1975, is amended to read as follows:

“§13A-7-29.

“(a) A person commits the crime of criminal littering if he or she engages in any of the following acts:

“(1) Knowingly deposits in any manner litter on any public or private property or in any public or private waters, having no permission to do so; or. For purposes of this subdivision, items found in an accumulation of garbage, trash, or other discarded material including, but not limited to, bank statements, utility bills, bank card bills, and other financial docu-

ments, clearly bearing the name of a person shall constitute a rebuttable presumption that the person whose name appears thereon knowingly deposited the litter. Advertising, marketing, and campaign materials and literature shall not be sufficient to constitute a rebuttable presumption of criminal littering under this subsection.

“(2) Negligently deposits in any manner glass or other dangerously pointed or edged objects on or adjacent to water to which the public has lawful access for bathing, swimming, or fishing, or on or upon a public highway, or within the right of way thereof; ~~or~~.

“(3) Discharges sewage, oil products, or litter from a watercraft vessel of more than 25 feet in length into a river, inland lake, or stream within the state or within three miles of the shoreline of the state; ~~or~~.

“(4) a. Drops or permits to be dropped or thrown upon any highway any destructive or injurious material and does not immediately remove the same or cause it to be removed; or

“b. Removes a wrecked or damaged vehicle from a highway and does not remove glass or other injurious substance dropped upon the highway from such vehicle.

“(b) “Litter” means rubbish, refuse, waste material, garbage, dead animals or fowl, offal, paper, glass, cans, bottles, trash, scrap metal, debris, or any foreign substance of whatever kind and description, and whether or not it is of value.

“(c) It is no defense under subsections (a)(3) and (a)(4) ~~of this section~~ that the actor did not intend, or was unaware of, the act charged.

“(d) Criminal littering is a Class C misdemeanor; however, the minimum fine shall be \$100.00.

“(e) The fine from such conviction shall be awarded and distributed by the court to the municipal, and/or county, and/or state general fund, following a determination by the court of whose law enforcement agencies or departments have been a participant in the arrest resulting in the fine. Such award and distribution shall be made on the basis of the percentage as determined by the court, which the respective agency or department contributed to the police work resulting in the arrest, and shall be spent by the governing body on law enforcement purposes only.”

“(f) No action for criminal littering based on evidence that creates a rebuttable presumption under subsection (a) (1) of this section shall be

brought against a person by or on behalf of a county or municipal governing body unless he or she has been given written notice by a designee of the governing body that items found in an accumulation of garbage, trash, or other discarded materials contain his or her name, and that, under section 13A-7-29(a)(1), there is a rebuttable presumption that he or she knowingly deposited the litter. The notice shall advise the person that criminal littering is a Class C misdemeanor, and shall provide that, unless the person can present satisfactory information or evidence to rebut the presumption to the designee of the governing body within fifteen (15) days from the date of the notice, an action for criminal littering may be filed against the him or her in the appropriate court. If the person responds to the notice and presents information or evidence to the designee of the governing body, the designee shall review the information or evidence presented and make a determination as to whether or not an action should be brought against the person for criminal littering. The designee shall provide written notice to the person of its determination, and if the intent is to proceed with an action for criminal littering, the notice shall be sent before any action is filed.

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

**SB 688.** Relating to insurance, to provide further for the regulation of health insurance by authorizing the Commissioner of Insurance to create a high risk pool to provide health insurance coverage to eligible individuals to be called the Alabama Health Insurance Plan, and also to promote the availability of health insurance coverage to small employers re-

ardless of their health status or claims experience; to provide a premium tax offset for insurers funding the plan; to provide immunity to insurers participating in the plan; to exempt the plan from any taxation, and to provide an effective date.

GREG PAPPAS,  
Clerk.

### **HOUSE MESSAGE**

On motion of Senator Figures, the Senate concurred in and adopted the following House amendment to the Bill, SB 688, the title of which is set out in the foregoing Message from the House, to-wit:

#### **AMENDMENT TO SB 688**

On page 5, line 9, insert the following after the end of the sentence:

“For the purpose of this section, the term “insurer” means any entity covered by the Health Insurance Portability Act, including, but not limited to, as the terms are defined in the Health Insurance Portability Act, a health insurance issuer, a health maintenance organization, and, notwithstanding Section 10-4-115 of the Code of Alabama 1975, any health benefit plan. In the case of a self-funded health benefit plan operating through a third party administrator, the third party administrator shall be the insurer for the purpose of this section. The commissioner may, by regulation, define health insurance premiums consistent with the purpose of this section.”

On page 8, after line 2, insert the following section, and renumber the remaining section:

“Section 9. All laws or parts of laws which conflict with this act are repealed.”

Also:

On page 6, line 9, after the word “plan” add the following:

“, which plan benefits shall be inclusive of the provisions of Sections 27-1-10 and 27-19-39 of the Code of Alabama 1975,”

On page 7, line 7, after the word “thereto” add the following:

“, which plan benefits shall be inclusive of the provisions of Sections 27-1-10 and 27-19-39 of the Code of Alabama 1975,”



Also:

Amend Senate Bill 688 on page 8, line 3, by adding the following new Section 9 and by renumbering the existing Section 9 as Section 10.

“Section 9. The commissioner shall consult with the State Board of Health on all aspects related to the provision of medical services under the Alabama Health Insurance Plan and the Alabama Small Employer Allocation Program established under this act. All regulations, bylaws, policies, guidelines or directives issued by the commissioner applicable to the Alabama Health Insurance Plan and the Alabama Small Employer Allocation Program pertaining to the delivery of medical services, including, but not limited to, those items specified in Section 2(8), Section 2(13), Section 2(14), Section 2(15), and Section 4 of this act, shall be promulgated with the concurrence of the State Board of Health.”

Also:

Amend Senate Bill 688 on page 6, lines 14-15, by deleting Section 6 in its entirety and in lieu thereof inserting the following new Section 6.

“Section 6. The plan established pursuant to this act shall be exempt from payment of all fees and all taxes levied by this state or any of its subdivisions. If the Commissioner of Insurance enters into a contract with one or more third parties to provide any or all of the services in the operation of the plan, this exemption shall not extend to said third parties except as to the tax on the premiums collected through the plan and any fees required for the filing of forms, rates and other reports with the Commissioner of Insurance as may be specifically related to the plan.”

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has

passed the following Senate Bill and returns same herewith to the Senate:

**SB 273.** To provide that a person who is engaged in the business of transporting vehicles have a lien on the vehicle if the removal was done pursuant to law; to provide notice to persons with a lawful interest in the vehicle; to provide for a hearing; to provide for payment of fees; and to require persons who are regularly engaged in transporting vehicles to have the name, address, and telephone number of the company transporting the vehicle clearly printed on the side of the vehicle.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Escott-Russell, the Senate concurred in and adopted the following House amendment to the Bill, SB 273, the title of which is set out in the foregoing Message from the House, to-wit:

### SUBSTITUTE FOR SB 273

#### A BILL TO BE ENTITLED AN ACT

To amend Section 32-13-6 of the Code of Alabama 1975, relating to towed vehicles; to provide for storage charges under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-13-6 of the Code of Alabama 1975 is amended to read as follows:

“§32-13-6.

“(a)(1) The person making the sale shall deduct from the proceeds of ~~such~~ the sale the reasonable cost of repair, towing and storage and all expenses incurred in connection with ~~such~~ the sale, and pay the balance remaining to the register of the circuit court of the county in which ~~such~~ the sale is made; ~~provided, that such.~~ The costs shall in no event exceed the customary charges for ~~like~~ similar services in the community where the sale is made.

“(2) Charges for storage by a wrecker service incurred subsequent to 30 days after the vehicle first came into its possession shall not be de-

ducted from the proceeds unless the notice of sale required by Section 32-13-4 has been given by the wrecker service to the owner, any secured party of record, and any known lienholder not later than 14 days after the vehicle first came into the possession of the wrecker service.

“(b) The person making ~~such~~ the sale shall promptly file with the register or clerk of the circuit court of the county in which ~~such~~ the sale is made a report of the sale, showing the date ~~such~~ the abandoned automobile first came into his or her possession or was abandoned on his or her premises, the name of the newspaper in which the notice of sale was published and the dates of ~~such~~ the publication, the time and place of the sale, the amount for which the abandoned motor vehicle was sold, the amounts deducted from ~~such~~ the sales price for repair, towing, storage expenses, expense of publication of notice of sale and the amount paid over to the register or clerk of the circuit court. ~~Such~~ The report shall contain a statement by the person making ~~such~~ the sale, certifying to the correctness of ~~such~~ the report under oath.

“(c) The clerk or register of the circuit court receiving the report of sale shall deduct from the funds paid with ~~such~~ the report a fee of ~~\$35.00~~ thirty-five dollars (\$35) in accordance with section 12-19-76.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Also:

Amend S. 273 on page 2 after line 7 by adding the following:

“(c) The reasonable fee allowed in Section 1 for storage fees shall not exceed the amount of five dollars per day.

(d) Prior to any person towing or storing any vehicle, the person must comply with the wishes of the owner if he or she is available as to the destination of the vehicle being towed. An owner may choose any location within 100 miles of the location from which the tow originates. Failure of the person transporting the vehicle to comply with this requirement shall result in no lien attaching as described above and shall negate any towing or storage charges from being levied against the owner.”

Further amend on page 3 line 25 by striking “45” and inserting in lieu thereof “90”

Further amend on page 5 line 8 by striking the words “reasonable

care” and inserting in lieu thereof the following: “the highest degree of diligence and care available in the towing profession.”

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

**SB 598.** To amend Sections 40-18-1, 40-18-6, 40-18-8, 40-18-24, 40-18-25, 40-18-160, 40-18-161, 40-18-162, 40-18-164, 40-18-166, 40-18-171, 40-18-172, 40-18-175, 40-18-176, and 40-27-1, Code of Alabama 1975, to conform state income tax treatment of certain corporations, partnerships, and other limited liability business entities to the federal income tax code and to delete individuals from the Alabama Multistate Tax Compact.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Freeman, the Senate concurred in and adopted the following House amendment to the Bill, SB 598, the title of which is set out in the foregoing Message from the House, to-wit:

### SUBSTITUTE FOR SB 598

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 40-18-1, 40-18-6, 40-18-8, 40-18-21, 40-18-

22, 40-18-24, 40-18-25, 40-18-28, 40-18-160, 40-18-161, 40-18-162, 40-18-164, 40-18-165, 40-18-166, 40-18-167, 40-18-171, 40-18-172, 40-18-175, 40-18-176, and 40-27-1, Code of Alabama 1975, to conform state income tax treatment of certain corporations, partnerships, and other limited liability business entities to the federal income tax code and to delete individuals from the Alabama Multistate Tax Compact; and to provide a retroactive effective date as to portions of the bill.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act may be known and may be cited as the "Alabama Income Tax Conformity Act of 1997."

Section 2. It is the intent of this act to simplify tax planning and compliance by taxpayers and tax administration by the Department of Revenue by conforming additional income tax rules to the federal income tax. This act provides that the federal income tax rules governing partnerships will apply for Alabama purposes. It also brings up to date the provisions of the Alabama S corporation rules by incorporating all the federal changes made in recent years except the rules concerning qualified subchapter S subsidiaries. Qualified subchapter S subsidiaries will not be ignored and treated as part of the parent S corporation for Alabama income tax purposes. Instead, they will be treated as separate S corporations subject to all the Alabama S corporation rules, including allocation and apportionment. Unlike federal income tax law, single member limited liability companies will not be ignored for Alabama income tax purposes, but instead will be classified as partnerships and required to file returns as subchapter K entities. Finally, the act simplifies income taxes for individuals by exempting them from the allocation and apportionment rules of the Multistate Tax Compact.

Section 3. Sections 40-18-1, 40-18-6, 40-18-8, 40-18-21, 40-18-22, 40-18-24, 40-18-25, 40-18-28, 40-18-160, 40-18-161, 40-18-162, 40-18-164, 40-18-165, 40-18-166, 40-18-167, 40-18-171, 40-18-172, 40-18-175, 40-18-176, and 40-27-1, Code of Alabama 1975, are amended to read as follows:

"§40-18-1.

"For the purpose of this chapter, the following terms shall have the respective meanings ascribed by this section:

"(1) CASH. Any legal tender, negotiable paper, or solvent credit.

"(2) CORPORATION. ~~Such~~ The term includes associations and joint stock companies.

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“(3) DOMESTIC. When applied to a corporation means created or organized under the laws of the State of Alabama.

“(4) FIDUCIARY. A guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person.

“(5) FISCAL YEAR. An accounting period of twelve months ending on the last day of any month other than December.

“(6) FOREIGN. When applied to a corporation means created or organized outside of the State of Alabama.

“(7) HEAD OF FAMILY. As used in this chapter, the term “head of family” has the same meaning as the term “head of household” as defined in 26 U.S.C. § 2(b).

“(8) PAID. For the purpose of deductions and credits hereinafter provided for with respect to income tax means paid or accrued or paid or incurred, and the terms “paid or accrued” and “paid or incurred” shall be construed according to the method of accounting on the basis of which the net income is computed under this chapter.

“(9) PERSON. Any individual, trust, estate, private corporation, association, or partnership.

“(10) REPORT FROM SOURCE. All individuals, corporations, associations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all other officers and employees of the state or of any municipal corporation or political subdivision of the state having control, receipt, custody, or payment of interest, rent, salaries, wages, premiums, annuities, compensation, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits and income taxable under this chapter.

“(11) SUBCHAPTER K ENTITY. A partnership, including a limited partnership or limited liability partnership, limited liability company, or any other entity subject to subchapter K of the Internal Revenue Code, 26 U.S.C. § 701-761, for federal income tax purposes.

“(11)(12) TAXABLE YEAR. The calendar year or the fiscal year ending during ~~such~~ the calendar year upon the basis of which net income is computed, or a period of less than twelve months resulting from a change in accounting period as provided in Section 40-18-30.

“(12)(13) TAXPAYER. Any person subject to a tax imposed by

this chapter, or whose income is, in whole or in part, subject to a tax imposed by this chapter.

“§40-18-6.

“(a) Basis (unadjusted) of property. — The basis of property shall be the cost of ~~such~~ the property with the following exceptions:

“(1) INVENTORY VALUE. — If the property should have been included in the last inventory, the basis shall be the last inventory value thereof.

“(2) GIFT OR TRANSFER IN TRUST. — If the property was acquired by gift, the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift, except that if ~~such~~ the basis is greater than fair market value of the property at the time of the gift, then for the purpose of determining loss the basis shall be ~~such~~ the fair market value. If the facts necessary to determine the basis in the hands of the donor or the last preceding owner are unknown to the donee, the Department of Revenue shall, if possible, obtain ~~such~~ the facts from ~~such~~ the donor or last preceding owner, or any other person cognizant thereof. If the Department of Revenue finds it impossible to obtain ~~such~~ the facts, the basis in the hands of ~~such~~ the donor or last preceding owner shall be the fair market value of ~~such~~ the property as found by the Department of Revenue as of the date or approximate date at which, according to the best information that the Department of Revenue is able to obtain, ~~such~~ the property was acquired by ~~such~~ the donor or last preceding owner. If the property was acquired by a transfer in trust, (other than by a transfer in trust by a gift, bequest, or devise), the basis shall be the same as it would be in the hands of the grantor increased in the amount of gain or decreased in the amount of loss recognized to the grantor on ~~such~~ the transfer. If property was acquired by gift or transfer in trust on or after December 31, 1932 and prior to March 15, 1985, the basis shall be the fair and reasonable market value of ~~such~~ the property at the time of ~~such~~ the acquisition.

“(3) PROPERTY TRANSMITTED AT DEATH. — If personal property was acquired by specific bequest or if real property was acquired by general or specific devise or by intestacy, the basis shall be the fair and reasonable market value of the property at the time of the death of the decedent. If the property was acquired by the decedent’s estate from the decedent, the basis in the hands of the estate shall be the fair and reasonable market value of the property at the time of the death of the decedent. In all other cases, if the property was acquired either by will or by intestacy, the basis shall be the fair and reasonable market value of the property at the time of the distribution to the taxpayer.

“(4) PROPERTY ACQUIRED UPON LIKE KIND EXCHANGE. — If the property was acquired upon an exchange described in subsection (c) of Section 40-18-8, the basis shall be determined in accordance with 26 U.S.C. § 1031(d).

“(5) TRANSFERS TO CORPORATION. — The basis of property received by a distributee in a transaction described in subsection (f) or (g) of Section 40-18-8 shall be determined in accordance with 26 U.S.C. § 358. The basis of property acquired by a corporation in a transaction described in subsection (f) or (g) of Section 40-18-8 shall be determined in accordance with 26 U.S.C. § 362.

“(6) PROPERTY ACQUIRED ON LIQUIDATION OF SUBSIDIARY. — The basis of property acquired by a corporation as a result of a liquidation of a subsidiary to which subsection (i) of Section 40-18-8 applies shall be determined in accordance with 26 U.S.C. § 334(b).

“(7) BASIS OF PROPERTY OF SUBSIDIARY AFTER ACQUISITION. — The basis of property owned by a corporation shall be determined under 26 U.S.C. § 338, (relating to the treatment of certain stock purchases as asset acquisitions), if an election under ~~such~~ the section is in effect for federal income tax purposes.

“(8) BASIS OF PROPERTY RECEIVED IN LIQUIDATION IN WHICH GAIN OR LOSS IS RECOGNIZED. — If property is received in a distribution in complete liquidation and if gain or loss is recognized on the receipt of ~~such~~ the property, then the basis of the property in the hands of the distributee shall be the fair market value of the property at the time of the distribution.

“(9) BASIS OF STOCK AFTER STOCK DIVIDEND. — The basis of stock with respect to which a corporation makes a distribution of its stock and the basis of the stock so distributed shall be determined in accordance with 26 U.S.C. § 307.

“(10) INVOLUNTARY CONVERSION. — If property was acquired in connection with an involuntary conversion in which any gain or loss was not recognized under subsection (d) of Section 40-18-8, the basis of ~~such~~ the property shall be determined in accordance with 26 U.S.C. § 1033.

“(11) ROLLOVER OF GAIN ON SALE OF PRINCIPAL RESIDENCE. — If any gain is not recognized on the sale of principal residence pursuant to subsection (e) of Section 40-18-8, the basis of the new residence, (as that term is used in ~~such~~ the subsection), shall be determined in accordance with 26 U.S.C. § 1034.



**“(12) PROPERTY ACQUIRED BEFORE JANUARY 1, 1933.**

— The basis for determining gain or loss on the sale or disposition of property acquired prior to January 1, 1933, shall be the fair and reasonable market value as of January 1, 1933. In determining the fair and reasonable market value of stock in a corporation as of January 1, 1933, due regard shall be given to the fair and reasonable market value of the assets of the corporation as of that date.

**“(13) DETERMINATION OF AMOUNT OF LOSS OR GAIN OR OF DEPRECIATION OR DEPLETION.** — Whenever in the calculation of income taxable hereunder for any taxable year it is necessary to determine the amount of gain or loss or of depreciation or depletion in the case of property acquired before January 1, 1933, the basis of property shall be fixed in the same manner as is provided in subdivision (12) of this subsection.

**“(14) PROPERTY ACQUIRED FROM SPOUSE OR FORMER SPOUSE.** — If the property was acquired from a spouse or former spouse in a transaction in which gain or loss was not recognized by reason of subsection (o) of Section 40-18-8, then the basis shall be the same as the basis of the property to the transferor.

**“(15) BASIS OF REPLACEMENT PROPERTY IN SALE OF STOCK TO EMPLOYEE STOCK OWNERSHIP PLAN OR COOPERATIVE.** — If, in connection with a sale of securities to an employee stock ownership plan or an eligible worker-owned cooperative, any gain was not recognized pursuant to subsection (p) of Section 40-18-8, the basis of the qualified replacement property, as defined in 26 U.S.C. § 1042, shall be determined in accordance with 26 U.S.C. § 1042(d).

**“(16) BASIS OF PROPERTY TO SUBCHAPTER K ENTITY.**  
— The basis of property contributed to a subchapter K entity under Section 40-18-8(q) shall be determined in accordance with 26 U.S.C. § 723.

**“(17) BASIS OF INTEREST IN SUBCHAPTER K ENTITY.**

**“a. Initial basis.** The basis of an interest in a subchapter K entity resulting from a contribution of property described in Section 40-18-8(q) shall be determined in accordance with 26 U.S.C. § 722.

**“b. Adjustments to basis.** The basis determined under paragraph a. shall be increased or decreased in accordance with 26 U.S.C. § 705. The amount of the increases and decreases shall be determined without regard to the allocation and apportionment rules of Section 40-18-22.

“c. Special basis adjustments. If a subchapter K entity has in effect an election under 26 U.S.C. § 754, the basis of the property of the subchapter K entity shall be determined in accordance with 26 U.S.C. § 734 and 743.

“(18) Basis of property distributed by subchapter K entity. The basis of property distributed by a subchapter K entity shall be determined in accordance with 26 U.S.C. § 732.

“(b) Adjusted basis. — The adjusted basis for determining the gain or loss from the sale or other disposition of property, whenever acquired, shall be the basis determined under subsection (a), adjusted as hereinafter provided. Proper adjustment in respect of the property shall in all cases be made:

“(1) For expenditures, receipts, losses, or other items, properly chargeable to capital account, including taxes and other carrying charges on unimproved and unproductive real property, but no such adjustment shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or prior taxable year<sub>2</sub>.

“(2) In respect of any period since January 1, 1935, for exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent allowed, (but not less than the amount allowable), under this chapter of prior income tax laws<sub>2</sub>.

“(3) In respect of any taxable period prior to January 1, 1935, for exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent allowable; and<sub>1</sub>

“(4) In the case of stock, to the extent not provided for in the foregoing paragraphs, for the amount of distributions previously made which, under the law applicable to the year in which the distribution was made, either were tax free or were applicable in reduction of basis.

“§40-18-8.

“(a) General rule. — Upon the sale or exchange of property the entire amount of the gain or loss determined under Section 40-18-7 shall be recognized, except as hereinafter provided in this section.

“(b) Exchange of stock for stock of same corporation. — No gain or loss shall be recognized if common stock in a corporation is exchanged solely for common stock in the same corporation, or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation.

“(c) Like kind exchanges. — If an exchange of property satisfies the requirements of 26 U.S.C. § 1031, (relating to like kind exchanges), then the amount of gain or loss recognized in such exchange shall be determined in accordance with ~~said~~ 26 U.S.C. § 1031.

“(d) Involuntary conversions. — If a taxpayer validly elects to determine the amount of gain recognized for federal income tax purposes under 26 U.S.C. § 1033, (relating to involuntary conversions), the amount of gain recognized shall be determined in accordance with ~~said~~ 26 U.S.C. § 1033.

“(e) Rollover of gain on sale of principal residence. — If a taxpayer sells his or her principal residence and purchases a new principal residence located within Alabama and if the requirements of 26 U.S.C. § 1034 are satisfied, then the amount of gain recognized on ~~such~~ the sale shall be computed in accordance with ~~said~~ 26 U.S.C. § 1034.

“(f) Transfer of property to corporation controlled by transferor. — If property is transferred to a corporation in a transaction which satisfies the requirements of 26 U.S.C. § 351, (relating to transfers to corporations controlled by the transferor), the amount of gain or loss recognized shall be determined in accordance with ~~said~~ the 26 U.S.C. § 351, as modified by 26 U.S.C. § 357, (relating to the recognition of gain as a result of the transferee corporation’s assumption of liabilities).

“(g) Reorganizations. — In the case of a reorganization defined in 26 U.S.C. § 368, (relating to definitions applicable to corporate reorganizations), or a distribution, (other than a reorganization), subject to 26 U.S.C. § 355, the amount of gain or loss recognized shall be determined in accordance with 26 U.S.C. § 354, 355, 356, 361, 371 and 374.

“(h) Exchange of stock for property. — No gain or loss shall be recognized by a corporation on the receipt of money or other property in exchange for stock, (including treasury stock), of ~~such~~ the corporation.

“(i) Complete liquidation of subsidiaries. — No gain or loss shall be recognized on the receipt by a corporation of property on the complete liquidation of a subsidiary corporation when the requirements of 26 U.S.C. § 332 (relating to complete liquidation of subsidiaries) are satisfied.

“(j) Gain or loss on sales or exchanges in connection with certain liquidations. — The amount of gain or loss recognized by a corporation on the sale or exchange of property shall be determined in accordance with 26 U.S.C. § 337 if every requirement for the application of ~~said~~ 26 U.S.C. § 337 is satisfied.

“(k) Election under 26 U.S.C. § 338. — If an acquiring corporation makes an election under 26 U.S.C. § 338, the amount of gain recognized by the target corporation shall be determined under ~~said~~ 26 U.S.C. § 338.

“(l) Taxability of corporation on distribution. — The amount of gain recognized by a corporation on the distribution of its stock, rights to acquire its stock, or property shall be determined in accordance with 26 U.S.C. § 311, ~~(relating to taxability of corporations on distributions).~~

“(m) Gain recognized on liquidation. — The amount of gain recognized by a liquidating corporation on the distribution of its property in complete liquidation shall be determined under 26 U.S.C. § 336.

“(n) Definition. — The term “reorganization” as used in this chapter shall have the same meaning as in 26 U.S.C. § 368(a).

“(o) Gain or loss on property transferred to spouse or former spouse. — Gain or loss shall not be recognized on the transfer of property to a spouse or former spouse if ~~such~~ the gain or loss is not recognized for federal income tax purposes by reason of 26 U.S.C. § 1041.

“(p) Sales of stock to employee stock ownership plans or certain cooperatives. — The amount of gain recognized by a taxpayer who has validly elected to determine the amount of gain recognized for federal income tax purposes under 26 U.S.C. § 1042, ~~(relating to sales of stock to employee stock ownership plans or certain cooperatives),~~ shall be determined in accordance with ~~said~~ 26 U.S.C. § 1042. If a taxpayer disposes of any qualified replacement property and recognizes gain under 26 U.S.C. § 1042(e), then, notwithstanding any other provision of this chapter, gain, ~~(if any),~~ shall be recognized to the same extent and at the same time for purposes of this chapter as under ~~said~~ 26 U.S.C. § 1042(e). The term “qualified replacement property” shall have the meaning set forth in ~~said~~ 26 U.S.C. § 1042.

“(q) Contribution of property to subchapter K entity. — The amount of gain or loss recognized on the contribution of property to a subchapter K entity in exchange for an interest in the subchapter K entity shall be determined in accordance with 26 U.S.C. § 721.

“(r) Distribution of property by subchapter K entity. — The amount of gain or loss recognized on the distribution of property by a subchapter K entity shall be determined in accordance with 26 U.S.C. § 731.

“(s) Transfer of property to trust. — Gain or loss shall not be

recognized on the transfer of property to a trust.

“§40-18-21.

“(a)(1) For the purpose of ascertaining the income tax due under the provisions of this chapter by individual residents of Alabama whose gross income, as defined herein, is derived from sources both within and without the State of Alabama, there shall be allowed a credit against the amount of tax found to be due by such resident, on account of income derived from without the State of Alabama, the amount of income tax actually paid by such resident to any state or territory on account of business transacted or property held without the State of Alabama.

“(2) In case the amount of tax actually paid by a an individual resident of Alabama to another state or territory is in excess of the amount that would be due on the same income computed on the income tax rate in Alabama, then only such amount as would be due in this state on such taxable income shall be allowed as a credit.

“(3) If the amount of income tax actually paid by a an individual resident of this state to any other state or territory on account of business transacted or property held, is less than the amount of tax that would be due, as computed on Alabama income tax rates, then the income tax levied herein shall be computed on the entire taxable income from sources from both within and without the state as defined herein, and the tax shall be paid less the credit allowed in this section for tax paid on income derived from without the state.

“(4) Before a resident of Alabama may claim the credit allowed under this subsection (a), he or she shall file with his or her tax return a certificate showing amount of gross and net income derived from sources without this state together with the amount of tax paid or to be paid on such income.

“(5) ~~The words “residents of Alabama,” as used in this subsection (a), shall include corporations organized and existing under the laws of the State of Alabama.~~

“(b) Any taxpayer described in Section 40-18-2(1) or Section 40-18-2(6), who, during any year, has been assessed a job development fee as described in Section 41-10-44.8(b), shall be allowed a credit against the amount of income tax due under the provisions of this chapter in such year in an amount equal to the job development fee withheld from the taxpayer’s wages during the year.

“§40-18-22.

“Resident taxpayers Taxpayers, including domestic trusts and corporations, as well as subchapter K entities and Alabama S corporations, engaged in multistate business in such a manner as to subject their income to allocation and apportionment provided by the Multistate Tax Compact shall allocate and apportion their income, gains, losses, deductions, credits, and exemptions in the same manner as provided for foreign corporations and nonresident individuals in this by chapter Chapter 27. Such multistate operators shall not be allowed the credit for taxes paid to other states or territories as provided in Section 40-18-21. This section shall not apply to individuals.

“§40-18-24.

“Individuals carrying on business in partnerships shall be liable for income tax only in their individual capacity. There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year or, if his net income for the taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his distributive share of the net income of the partnership for any accounting period of the partnership ending within the fiscal year or calendar year upon the basis of which the partner's net income is computed. Taxpayers who are members of partnerships may be required by the Department of Revenue to make returns stating the gross receipts and net gains or profits of the partnership for any taxable year. The net income of the partnership shall be computed in the same manner and on the same basis as provided in computing the net income of individuals; except, that the deduction provided in subdivision (10) of subsection (a) of Section 40-18-15 shall not be allowed to the partnership, but the proper proportion thereof shall, subject to the limitations imposed by subdivision (10) of subsection (a) of Section 40-18-15, be deductible by the individual partners, and the personal exemption provided for in Section 40-18-17 shall be allowed only to the individual partners.

“The amount of income, deduction, gain, loss, or credit includable or deductible by an owner of an interest in a subchapter K entity shall be determined in accordance with subchapter K of the Internal Revenue Code, 26 U.S.C. §§ 701-761.

“§40-18-25.

“(a) The tax imposed by this chapter shall apply to the income of estates or of any kind of property held in trust, including:

“(1) Income received by estates of deceased persons during the period of administration or settlement or settlements of the estate;.

“(2) Income accumulated in trust for the benefit of unborn or unascertained persons with contingent interests;.

“(3) Income held for future distribution under the terms of a will or trust; and.

“(4) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed as the court may direct.

“(b) The fiduciary shall be responsible for making the return of income for the estate or trust for which he or she acts. The net income of the estate or trust shall be computed in the same manner and on the same basis as provided in this chapter for individual taxpayers; except, that the deduction for amounts paid or permanently put aside for a charitable purpose shall be allowed to the extent specified in 26 ~~USCA~~ U.S.C. § 642(c), (relating to amounts paid or permanently set aside for a charitable purpose), ~~as in effect on January 1, 1982~~; and in cases under subdivision (4) of subsection (a) of this section, the fiduciary shall include in the return a statement of each beneficiary's distributive share of ~~such~~ the net income, whether or not distributed before the close of the taxable year for which the return is made.

“(c) In cases under subdivisions (1), (2), and (3) of subsection (a) of this section, the tax shall be imposed upon the net income of the estate or trust using the rate schedule in subdivision (1) of Section 40-18-5 and shall be paid by the fiduciary; except, that in determining the net income of the estate of any deceased person during the period of administration or settlement, there may be deducted the amount of any income properly paid or credited to any legatee, heir, or other beneficiary. In such cases the estate or trust shall be allowed the same exemptions as are allowed to single persons under Section 40-18-19, and in such cases the estate or trust created by a person not a resident and an estate of a person not a resident shall be subject to tax only to the extent to which individuals other than residents are liable under subdivision (3) of Section 40-18-14.

“(d) In cases under subdivision (4) of subsection (a) of this section, and in the case of any income of an estate during the period of administration or settlement permitted by subsection (c) to be deducted from the net income upon which tax is to be paid by the fiduciary, the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his or her distributive share whether distributed or

not, of the net income of the estate or trust for the taxable year, or, if his or her net income for the taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his or her distributive share of the net income of the estate or trust for any accounting period of ~~such~~ the estate or trust ending within the fiscal year upon the basis of which ~~such~~ the beneficiary's net income is computed. In such cases the income of a beneficiary of ~~such~~ the estate or trust not a resident shall be taxable to the extent provided in subdivision (3) of Section 40-18-14 for individuals other than residents, but only to the extent that the income of ~~such~~ the trust or estate shall arise from sources within the state. For the purpose of determining any income tax due by any nonresident beneficiary of any such trust or estate, the income from intangible personal property shall not be construed to arise from sources within the state merely because the title and ownership of such intangible personal property is vested in a resident fiduciary or trust or estate or the evidence of ownership thereof is located within the state.

“(e) There shall be exempt from taxation imposed by this chapter income of any qualified trust defined in 26 ~~USCA~~ U.S.C. § 401(a), ~~(relating to qualified pension, profit sharing, and stock bonus plans), as amended from time to time;~~ any custodial account, any annuity contract or any contract issued by an insurance company treated as a qualified trust by reason of 26 ~~USCA~~ U.S.C. § 401(f), ~~(relating to certain custodial accounts and contracts), as amended from time to time;~~ any individual retirement account, any individual retirement annuity, or any custodial account which is exempt from federal income tax under 26 ~~USCA~~ U.S.C. § 408(e), ~~(relating to individual retirement accounts), as amended from time to time;~~ and any retirement bond described in 26 ~~USCA~~ U.S.C. § 409, ~~(relating to retirement bonds), as amended from time to time.~~ The foregoing exemption shall not apply to any entity which is not exempt from federal income tax by reason of 26 ~~USCA~~ U.S.C. § 502 or 26 ~~USCA~~ U.S.C. § 503, ~~both as amended from time to time,~~ and shall not apply to any income which would constitute “unrelated business taxable income” as defined in 26 ~~USCA~~ U.S.C. § 512, ~~(relating to unrelated business taxable income), as amended from time to time.~~

“(f) There shall be exempt from taxation imposed by this chapter income of any trust which is described in section 501(c)(2), 501(c)(3), 501(c)(9), 501(c)(11), 501(c)(17), 501(c)(20) or 501(c)(21) of 26 ~~USCA~~ U.S.C., ~~§ (relating to exemption from tax on corporations, certain trusts, etc.), as amended from time to time.~~ The foregoing exemption shall not apply to any entity which is not exempt from federal income tax by reason of 26 ~~USCA~~ U.S.C. § 502, ~~(relating to feeder organizations),~~ or 26 ~~USCA~~ U.S.C. § 503, ~~(relating to requirements for exemption), both as amended from time to time,~~ and shall not apply to any income which would constitute



“unrelated business taxable income” as defined in 26 ~~USCA~~ U.S.C. § 512, ~~(relating to unrelated business taxable income) as amended from time to time.~~

“(g) The amount actually distributed to any distributee of any trust described in subsection (e) of this section, any individual retirement account, individual retirement annuity, individual retirement bond, or custodial account which is treated as an individual retirement account shall be taxable to such distributee in accordance with 26 ~~USC~~ U.S.C 72, ~~as in effect from time to time,~~ in the year in which distributed as if it were an annuity the consideration for which is the amount contributed by the employee. Notwithstanding the preceding sentence, distributions which are not included in gross income for federal income tax purposes by reason of the rollover provisions in 26 ~~USCA~~ U.S.C. § 402, ~~(relating to taxability of beneficiary of employees’ trust),~~ 26 ~~USCA~~ U.S.C. § 403, ~~(relating to taxation of employee annuities),~~ 26 ~~USCA~~ U.S.C. § 408, ~~(relating to individual retirement accounts),~~ or 26 ~~USCA~~ U.S.C. § 409, ~~(relating to retirement bonds), all the foregoing provisions as amended from time to time,~~ shall not be included in gross income for purposes of this chapter.

“For the foregoing purposes, “the amount contributed by the employee” means:

“(1) Amounts contributed prior to January 1, 1982, by an individual for himself or herself, his or her spouse or both under an individual retirement account, annuity or bond for which no deduction was allowed under Section 40-18-15 or corresponding provisions of prior laws of this state;.

“(2) Amounts contributed prior to January 1, 1982, by a person described in Section 40-18-15(a)(12) to a trust described in subsection (e) of this section for which no deduction was allowed under Section 40-18-15 or corresponding provisions of prior laws of this state;.

“(3) The amount included in gross income in prior years by the employee, the distributee, his or her predecessor in interest, or the trust by reason of the lack of exemption from the tax imposed by this chapter of a trust, individual retirement account, individual retirement annuity or individual retirement bond to which contributions described in (1) and (2) were made;.

“(4) The amount included in gross income by the employee, distributee, or predecessor in interest as a result of a distribution from any other trust, individual retirement plan, individual retirement account, individual retirement bond, or custodial account because ~~such~~ the distribution

was not excludable from gross income under the second sentence of this subsection when made or was includable pursuant to 26 ~~USCA~~ U.S.C. § 408(m), ~~(relating to investment in collectibles treated as distributions), as amended from time to time.~~

“(h) The income of a charitable remainder annuity trust or a charitable remainder unitrust, ~~(as those terms are defined in 26 USCA~~ U.S.C. § 664), ~~(relating to charitable remainder trusts), shall be exempt from the tax imposed by this chapter to the extent provided in 26 USCA~~ U.S.C. § 664, as in effect on January 1, 1982. Recipients of distributions from charitable remainder unitrust and charitable remainder annuity trusts shall include in gross income the amounts specified in 26 ~~USCA~~ U.S.C. § 664(b)(1) and 26 ~~USCA~~ U.S.C. § 664(b)(2) ~~as in effect on January 1, 1982.~~

“(i) Contributions to a trust made by an employer during a taxable year of the employer which ends within or with a taxable year of the trust for which the trust is not exempt under subsection (e) of this section shall be included in the gross income of an employee for the taxable year in which the contribution is made to the trust in the case of an employee whose beneficial interest in such contribution is nonforfeitable at the time the contribution is made or if the interest of the employee is not nonforfeitable in such year, the fair market value of the employee's interest in the trust shall be included in the gross income of the employee in the year in which it becomes nonforfeitable.

“(j) The tax on an electing small business trust, as defined in 26 U.S.C. § 1361(e)(1), and the beneficiaries of the trust shall be determined as follows:

“(1) The portion of the trust that consists of stock in one or more Alabama S corporations, as defined in Section 40-18-160, shall be treated as a separate trust. The net income of the separate trust shall be computed including only the items taken into account under Section 40-18-162, gain or loss from the disposition of stock of an Alabama S corporation, and federal income taxes and administrative expenses allocable to the income items treated under this subsection. The net income shall be taxed at the rate of five percent. The separate trust shall not be allowed any personal exemption.

“(2) No item shall be apportioned to any beneficiary of the trust from the separate trust described in subdivision (1).

“(3) The income taxation of the remainder of the trust that does not own the stock of any Alabama S corporation and its beneficiaries shall be determined under subsections (b), (c), and (d) of this section without regard

to the income, gain, deductions, loss, or credits of the separate trust owning stock in one or more Alabama S corporations.

“(k) In the case of a qualified subchapter S trust, as defined in 26 U.S.C. § 1361(d), all the items of income, deduction, and credit of the portion of the trust consisting of the stock in an Alabama S corporation shall not be subject to tax under this section but shall be included in computing the net income of the beneficiary of the trust.

“§40-18-28.

“Every partnership subchapter K entity, and every single member limited liability company, shall make a return to the Department of Revenue for each taxable year, stating specifically the items of its gross income and the deductions allowed by this chapter, and shall include in the return the names and addresses of the individuals partners or members who would be entitled to share in the net income, if distributed, and the amount of the distributive share of each individual partner or member. The return must be subscribed by the person who makes it and must contain a printed declaration that it is made under the penalties of perjury. A person who willfully makes and subscribes a return which he or she does not believe to be true and correct as to every material particular shall be guilty of perjury and upon conviction shall be punished as prescribed in Section 40-18-27.

“§40-18-160.

“(a) For purposes of this chapter, an “Alabama S corporation” means any domestic corporation or foreign corporation qualified to do business or doing business in Alabama which has in effect an election to be an S corporation under 26 U.S.C. § 1362, as in effect from time to time. The corporation shall not be an Alabama S corporation for any portion of a taxable year of the corporation during which an election under said 26 U.S.C. § 1362 is not in effect for federal income tax purposes. An Alabama S corporation shall not be subject to the tax imposed by Section 40-18-31.

“(a) An Alabama S corporation shall not be subject to the tax imposed by Section 40-18-31.

“(b) For purposes of this chapter, an “Alabama S corporation” is a corporation:

“(1) a. With respect to which an election under 26 U.S.C. § 1362 is in effect; and

“b. The income, loss, deductions, or credits or items of income,

loss, deduction, or credits of which affect the liability of any shareholder of the corporation for the income tax imposed by this chapter, either by reason of business done in Alabama by the corporation or the ownership of shares of the corporation by an Alabama resident; or,

“(2) a. With respect to which there is in effect an election under 26 U.S.C. § 1361(b)(3) to treat such corporation as a qualified subchapter S subsidiary; and,

“b. All the stock of which is owned by an Alabama S corporation.

“No corporation shall be an Alabama S corporation for any portion of a taxable year of the corporation during which an election under 26 U.S.C. § 1362 or 1361(b)(3), whichever is applicable, is not in effect for federal income tax purposes. No corporation shall be an Alabama S corporation if it is a financial institution, as defined in Section 40-16-1.

“(b)(c) For purposes of this chapter, an “Alabama C corporation” means any corporation other than an Alabama S corporation.

“§40-18-161.

“(a) The taxable income of an Alabama S corporation shall be determined in the same manner as in the case of an individual except that the items determined in subdivision (1), subsection (a) of Section 40-18-162 shall be separately stated, and the following deductions shall not be allowed:

“(1) Personal exemptions otherwise allowed by Section 40-18-19½;

~~“(2) Income taxes paid to possessions of the United States otherwise allowed by Section 40-18-15, paragraph (a)(3)a;~~

~~“(3) (2) Charitable contributions otherwise allowed by Section 40-18-15, subdivision (a)(10)½;~~

~~“(4) (3) The net operating loss deduction otherwise allowed by Sections 40-18-15, subdivision (a)(16) and 40-18-35.1½;~~

~~“(5) (4) Medical expenses otherwise allowed by Section 40-18-15, subdivision (a)(13)½;~~

~~“(6) (5) Alimony otherwise allowed by Section 40-18-15, subdivision (a)(18)½;~~

~~“(7) (6) Moving expenses otherwise allowed by Section 40-18-15, subdivision (a)(19); The deduction for certain expenses of producing income and determining taxes otherwise allowed by Section 40-18-15, subdivision (a)(14).~~

~~“(8) (7) Contributions to individual retirement accounts otherwise allowed by Section 40-18-15, subdivision (a)(11); and,~~

~~“(9) (8) Depletion on oil or gas wells otherwise allowed by Section 40-18-15, subdivision (a)(9).~~

~~“(b) If the Alabama S corporation has income or deductions from more than one state, then the following rules shall apply:~~

~~“(1) In the case of a resident shareholder:~~

~~“a. The provisions of this article shall apply to the shareholder’s pro rata share of the entire income and loss of the Alabama S corporation.~~

~~“b. The shareholder shall be entitled to a credit under Section 40-18-21 with respect to any income tax paid by the shareholder to another state, territory, or foreign jurisdiction in which the corporation is treated in whole or in part as an S corporation.~~

~~“c. If the corporation is subject to an income tax in a state, territory, or foreign jurisdiction in which the corporation is not treated as an S corporation, or is treated only in part as an S corporation, then any such income tax on the corporation shall be allowed as a deduction in determining the corporation’s taxable income under this section.~~

~~“(2) A nonresident shareholder shall be subject to this article only with respect to such shareholder’s pro rata share of income, loss, deduction or credit of the Alabama S corporation allocated and apportioned to Alabama in accordance with the rules and regulations applicable to foreign corporations.~~

Amounts of income, loss, deduction, or credit for purposes of this article shall be determined under the allocation and apportionment rules of Chapter 27.

~~“(c) Any election affecting the computation of items derived from an Alabama S corporation shall be made by the corporation.~~

~~“(d)(1) If an Alabama S corporation was an Alabama C corporation for the last taxable year before the first taxable year during which it~~

became an Alabama S corporation, and such the corporation inventoried goods under the LIFO method for such the last taxable year, the LIFO recapture amount shall be included in the gross income of the corporation for such the last taxable year and appropriate adjustments to the basis of the inventory shall be made to take into account the amount included in gross income under this subdivision.

“(2) Any increase in the tax imposed by this chapter by reason of this subsection shall be payable in four equal installments. The first installment shall be paid not later than the due date, (without extension), for filing the return for the last taxable year before the corporation became an Alabama S corporation and the three succeeding installments shall be paid not later than the due date, (without extension), for filing the returns for the succeeding three years. For purposes of computing interest on underpayments, the last three installments shall not be considered underpayments until after the payment dates specified in the previous sentence.

“(3) For purposes of this subsection, the term “LIFO recapture amount” means the excess, (if any), of

“a. the inventory amount of the inventory assets under the first-in, first-out method over

“b. the inventory amount of such assets under the LIFO method. For purposes of the preceding sentence, inventory amounts shall be determined as of the close of the last taxable year before the corporation became an Alabama S corporation.

“(4) For purposes of this subsection:

“a. The term “LIFO method” means the method authorized by 26 U.S.C. § 472.

“b. The term “inventory assets” means stock in trade of the corporation or other property of a kind which would properly be included in the inventory of the corporation if on hand at the close of the taxable year.

“c. The inventory amount of assets under the first-in, first-out method shall be determined — as follows:

“1. By using the retail method of valuing inventories if the corporation uses that method in connection with the LIFO method, or

“2. If subparagraph 1 does not apply, then by using cost or market, whichever is lower.

“§40-18-162.

“(a) In determining the tax of a shareholder for the shareholder’s taxable year in which the taxable year of the Alabama S corporation ends, or for the final taxable year of a shareholder who dies or of a trust or estate that terminates before the end of the corporation’s taxable year, there shall be taken into account the shareholder’s pro rata share of the corporation’s:

“(1) Items of income, including tax-exempt income, loss, deduction, or credit the separate treatment of which could affect the liability for tax of any shareholder, including charitable contributions ~~and income taxes paid to possessions of the United States~~, and

“(2) Nonseparately computed income or loss. The term “nonseparately computed income or loss” means gross income minus the deductions allowed to the corporation under this article, determined by excluding all items described in subdivision (1) of this subsection.

“(b) The character of any item included in a shareholder’s pro rata share under subsection (a) of this section shall be determined as if ~~such the~~ item were realized directly from the source from which realized by the corporation, or incurred in the same manner as incurred by the corporation.

“(c) In any case where it is necessary to determine the gross income of a shareholder for purposes of this article, such gross income shall include the shareholder’s pro rata share of the gross income of the corporation.

“(d) The following special rules for losses and deductions shall apply:

“(1) The aggregate amount of losses and deductions taken into account by a shareholder under subsection (a) of this section for any taxable year shall not exceed the sum of:

“a. The adjusted basis of the shareholder’s stock in the Alabama S corporation as determined with regard to ~~subsection~~ subsections (a) and (b)(1) of Section 40-18-164 for the taxable year, and

“b. The shareholder’s adjusted basis of any indebtedness of the Alabama S corporation to the shareholder as determined without regard to any adjustment under subsection (c)(2) of Section 40-18-164 for the taxable year.

“(2) Any loss or deduction which is disallowed for any taxable

year by reason of subdivision (1) of this subsection shall be treated as incurred by the corporation in the succeeding taxable year with respect to that shareholder.

“(3) The carryover of disallowed losses and deductions to the post-termination transition period shall be determined as follows:

“a. If for the last taxable year of a corporation for which it was an Alabama S corporation, a loss or deduction was disallowed by reason of subdivision (1) of this subsection, ~~such the~~ loss or deduction shall be treated as incurred by the shareholder on the last day of any post-termination transition period.

“b. The aggregate amount of losses and deductions taken into account by a shareholder under paragraph a of this subdivision shall not exceed the adjusted basis of the shareholder’s stock in the corporation as determined at the close of the last day of the post-termination transition period and without regard to this paragraph.

“c. The shareholder’s basis in the stock of the corporation shall be reduced by the amount allowed as a deduction by reason of this subdivision.

“(e) If any Alabama income tax is imposed under Section 40-18-174 for any taxable year on an Alabama S corporation, for purposes of subsection (a), the amount of each recognized built-in gain, (within the meaning of Section 40-18-174), for ~~such the~~ taxable year shall be reduced by its proportionate share of ~~such the~~ tax.

“(f) If any tax is imposed under Section 40-18-175 for any taxable year on an Alabama S corporation, for purposes of subsection (a), each item of passive investment income shall be reduced by an amount which bears the same ratio to the amount of such tax as the amount of ~~such the~~ item bears to the total passive investment income for the taxable year.

“§40-18-164.

“(a) The basis of each shareholder’s stock in an Alabama S corporation shall be increased for any period by the sum of the following items determined with respect to that shareholder for ~~such the~~ period:

“(1) The items of income described in subdivision (1) of subsection (a) of Section 40-18-162;

“(2) Any nonseparately computed income determined under subdi-



vision (2) of subsection (a) of Section 40-18-162; ~~and,~~

“(3) The excess of the deductions for depletion over the basis of the property subject to depletion.

“(b) The basis of each shareholder’s stock in an Alabama S corporation shall be decreased for any period, but not below zero, by the sum of the following items determined with respect to the shareholder for ~~such~~ the period:

“(1) Distributions by the corporation which were not includable in the income of the shareholder by reason of Section 40-18-165; ~~and,~~

“(2) The items of loss and deduction described in subdivision (1) of subsection (a) of Section 40-18-162; ~~and,~~

“(3) Any nonseparately computed loss determined under subdivision (2) of subsection (a) of Section 40-18-162; ~~and,~~

“(4) Any expense of the corporation not deductible in computing its taxable income and not properly chargeable to capital account; ~~and,~~

“(5) The amount of the shareholder’s deduction for depletion with respect to for any oil and gas wells property held by the S corporation to the extent such deduction does not exceed the proportionate share of the adjusted basis of such property allocated to the shareholder.

“(c) The following special rules shall apply:

~~“(1) An amount which is required to be included in the gross income of a shareholder and shown on his return shall be taken into account under subdivisions (a)(1) and (a)(2) of this section only to the extent such amount is included in the shareholder’s gross income on his return, increased or decreased by any adjustment of such amount in a redetermination of the shareholder’s tax liability.~~

“(1) The increases under subsection (a) and the decreases under subsection (b) shall include the entire amount, without allocation and apportionment under Chapter 27, of the shareholder’s pro rata share of such increases and decreases during the taxable year.

“(2) a. If for any taxable year the amounts specified in subdivisions (2), (3), (4), and (5) of subsection (b) of this section exceed the amount which reduces the shareholder’s basis to zero, ~~such~~ the excess shall be applied to reduce, but not below zero, the shareholder’s basis in any indebted-

ness of the Alabama S corporation to the shareholder.

“b. If for any taxable year there is a reduction under paragraph (a) of this subdivision in the shareholder’s basis in the indebtedness of an Alabama S corporation to a shareholder, any net increase, after the application of subsections (a) and (b) of this section, for any subsequent taxable year shall be applied to restore such reduction in basis before any of it may be used to increase the shareholder’s basis in stock of the Alabama S corporation.

“(3) This section and Sections 40-18-162 and 40-18-163 shall be applied before determining the amount of loss in any taxable year of the shareholder or the corporation in which the security or debt becomes worthless.

“(4) An item of income which is required to be included in the gross income of a shareholder and shown on his or her return shall be taken into account under subdivisions (a)(1) and (a)(2) of this section only to the extent such amount is included in the shareholder’s gross income on his or her return, increased or decreased by any adjustment of such amount in a redetermination of the shareholder’s tax liability. If an item of income is subject to allocation and apportionment, the basis increases provided by subdivisions (a)(1), (a)(2), and (c)(1) shall be allowed only in the proportion that the amount of such income reported on the taxpayer’s return bears to the amount of income properly allocated and apportioned to Alabama and required to be included in gross income and reported by the shareholder, increased or decreased by any adjustment of such amount in a redetermination of the shareholder’s tax liability.

“(5) Adjustments in case of inherited stock.

“a. If any person acquires stock in an Alabama S corporation by reason of the death of a decedent or by bequest, devise, or inheritance, then the treatment of any item of income of the S corporation shall be determined in accordance with 26 U.S.C. § 691, which shall be applied as if the decedent had held directly his or her pro rata share of such item.

“b. The basis determined under Section 40-18-6 of any stock in an S corporation shall be reduced by the portion of the value of the stock that is attributable to items constituting income in respect of the decedent.

“§40-18-165.

“(a) A distribution of property made by an Alabama S corporation with respect to its stock to which, but for this article, Section 40-18-36

would apply shall be treated in the manner provided in subsection (b) or (c) of this section, whichever applies.

“(b) In the case of a distribution described in subsection (a) of this section by an Alabama S corporation which has no accumulated earnings and profits:

“(1) The distribution shall not be included in gross income to the extent that it does not exceed the adjusted basis of the stock.

“(2) If the amount of the distribution exceeds the adjusted basis of the stock, such excess shall be treated as gain from the sale or exchange of property.

“(c) In the case of a distribution described in subsection (a) of this section by an Alabama S corporation which has accumulated earnings and profits:

“(1) That portion of the distribution which does not exceed the accumulated adjustments account shall be treated in the manner provided by subsection (b) of this section.

“(2) That portion of the distribution which remains after the application of subdivision (c)(1) of this section shall be treated as a dividend to the extent it does not exceed the accumulated earnings and profits of the Alabama S corporation.

“(3) Any portion of the distribution remaining after the application of subdivision (2) of this subsection (c) of this section shall be treated in the manner provided by subsection (b) of this section. Except to the extent provided in regulations, if the distributions during the taxable year exceed the amount in the accumulated adjustments account at the close of the taxable year, for purposes of this subsection, the balance of such account shall be allocated among such distributions in proportion to their respective sizes.

“(d) Subsections (b) and (c) of this section shall be applied by taking into account to the extent proper:

“(1) The adjustments to the basis of the shareholder's stock described in Section 40-18-164, and

“(2) The adjustments to the accumulated adjustments account which are required by Section 40-18-166.

“(e) In the case of any distribution made during any taxable year,

the adjusted basis of the stock shall be determined with regard to the adjustments provided in paragraph (a) of Section 40-18-164 for the taxable year.

“§40-18-166.

“(a)(1) Except as provided in subsection (b), for purposes of this article, the term “accumulated adjustments account” means an account of the Alabama S corporation which is adjusted for the S period in a manner similar to the adjustments under Section 40-18-164 hereof including subdivision (4) of subsection (c), except that no adjustment shall be made for income and related expenses which are exempt from tax under this chapter and the phrase “but not below zero” shall be disregarded in Section 40-18-164(c)(2)a.

“(2) In the case of any redemption which is treated as an exchange under Section 40-18-36, the adjustment in the accumulated adjustments account shall be an amount which bears the same ratio to the balance in ~~such~~ the account as the number of shares redeemed in such redemption bears to the number of shares of stock in the corporation immediately before ~~such~~ the redemption.

“(3) In applying this section to distributions during any taxable year, the amount of the accumulated adjustments account as of the close of the taxable year shall be determined without regard to any net negative adjustment for the taxable year. The term “net negative adjustment” means, with respect to any taxable year, the excess, if any, of the reductions in the account for the taxable year, other than for distributions, over the increases in such account for the taxable year.

“(4) For purposes of this article, The the term “S period” means the most recent continuous period during which the corporation has been an Alabama S corporation. ~~Such~~ The period shall not include any taxable year beginning before January 1, 1985.

“(b) An Alabama S corporation may, with the consent of all of its affected shareholders, elect to have subdivision (1) of subsection (c) of Section 40-18-165 not apply to all distributions made during the taxable year for which the election is made. For purposes of this subsection, the term “affected shareholder” means any shareholder to whom a distribution is made by the Alabama S corporation during the taxable year.

“§40-18-167.

“(a) Except to the extent inconsistent with this article, the rules of Article 1 of this chapter shall apply to an Alabama S corporation and its shareholders.

~~“(b) For purposes of this article, an Alabama S corporation in its capacity as a shareholder of another corporation shall be treated as an individual.”~~

“§40-18-171.

“(a) For purposes of this ~~section~~ article, except as provided in subsection (b), each shareholder’s pro rata share of any item for any taxable year shall be the sum of the amounts determined with respect to the shareholder by assigning an equal portion of ~~such~~ the item to each day of the taxable year, and then by dividing that portion pro rata among the shares outstanding on ~~such~~ the day.

“(b) Under regulations prescribed by the Department of Revenue, if any shareholder terminates his or her interest in the corporation during the taxable year and all ~~persons who are~~ affected shareholders ~~during the taxable year and the corporation~~ agree to the application of this subsection, subsection (a) of this section shall be applied to the affected shareholders as if the taxable year consisted of two taxable years the first of which ends on the date of the termination.

“(c) For purposes of subsection (b), the term “affected shareholders” means the shareholder whose interest is terminated and all shareholders to whom such shareholder has transferred shares during the taxable year. If such shareholder has transferred shares to the corporation, the term “affected shareholders” shall include all persons who are shareholders during the taxable year.”

“§40-18-172.

“(a) For purposes of this article, the term “post-termination transition period” means:

“(1) The period beginning on the day after the last day of the corporation’s last taxable year as an Alabama S corporation and ending on the later of:

“a. The day which is one year after ~~such~~ the last day, ~~or,~~

“b. The due date for filing the return for ~~such~~ the last year as an Alabama S corporation, including extensions; ~~and,~~

“(2) The 120-day period beginning on the date of a determination pursuant to an audit of the taxpayer which follows the termination of that the corporation’s election to be treated as ~~an Alabama~~ a federal S corpora-

tion had terminated for a previous taxable year and which adjusts a subchapter S item of income, loss, or deduction of the corporation arising during the S period.

“(3) The 120-day period beginning on the date of a determination that the corporation’s election under 26 U.S.C. § 1362 had terminated for a previous taxable year.

“(b) For purposes of subsection (a), The the term “determination”  
means:

“(1) That the corporation’s failure to qualify as an S corporation for federal income tax purposes has been established by:

“a. A court decision which becomes final,

“b. A closing agreement, or

“c. An agreement between the corporation and the United States Secretary of the Treasury; or

“(2) That the corporation’s failure to qualify as an Alabama S corporation has been established by:

“a. A court decision which becomes final, or

“b. An agreement between the corporation and the Department of Revenue.

“(1) A determination as defined in 26 U.S.C. § 1313(a); or

“(2) An agreement between the corporation and the U.S. Secretary of the Treasury that the corporation failed to qualify as an S corporation.

“§40-18-175.

“(a) If for the taxable year an Alabama S corporation has accumulated earnings and profits at the close of such the taxable year derived from years during which such the corporation was an Alabama C corporation, and gross receipts more than 25 percent of which are passive investment income, then there is hereby imposed a tax on the income of such the corporation for such the taxable year. Such The tax shall be computed by multiplying the excess net passive income by five percent.

“(b)(1) For purposes of this section:

"a. Except as provided in paragraph b below, the term "excess net passive income" means an amount which bears the same ratio to the net passive income for the taxable year as (i) the amount by which the passive investment income for the taxable year exceeds 25 percent of the gross receipts for the taxable year, bears to (ii) the passive investment income for the taxable year.

"b. The amount of the excess net passive income for any taxable year shall not exceed the corporation's taxable income for the taxable year as determined under Section 40-18-161 without regard to the deduction under subdivision (a)(14) and (a)(15) of Section 40-18-35 and under Section 40-18-35.1.

"(2) The term "net passive income" means passive investment income, reduced by the deductions allowable under this chapter which are directly connected with the production of such the income, ~~(other than deductions allowable by subdivision (a)(14) and (a)(15) of Section 44-18-35 40-18-35 and by Section 40-18-35.1).~~

"(3) The terms "passive investment income" and "gross receipts" shall have the same respective meanings as when used in 26 U.S.C. § 1362(d)(3), ~~as in effect from time to time.~~

"(4) Notwithstanding subdivision (3), the amount of passive investment income shall be determined by not taking into account any recognized built-in gain or loss of the Alabama S corporation for any taxable year in the recognition period. Terms used in the preceding sentence shall have the same respective meanings as when used in Section 40-18-174.

"(c) If the Alabama S corporation establishes to the satisfaction of the Department of Revenue that it determined in good faith that it had no earnings and profits at the close of a taxable year derived from years during which it was an Alabama C corporation, and during a reasonable period of time after it was determined that it did have such earnings and profits, such the earnings and profits were distributed, the Department of Revenue may waive the tax imposed by subsection (a) for such the taxable year.

"§40-18-176.

"(a) The Department of Revenue shall permit an Alabama S corporation to file composite returns and to make composite payments on behalf of some or all of its nonresident shareholders if there are one or more nonresident shareholders during any part of the taxable year. The Department of Revenue may permit composite returns and payments to be made by an Alabama S corporation on behalf of its resident shareholders.

“(b) For purposes of this section, a “composite return” means an informational return similar in form to U.S. Treasury Department Schedule K-1 containing information concerning one or more Alabama S corporation shareholder’s respective shares of income, deductions and losses passed through to them by virtue of their status as shareholders of an Alabama S corporation, any credit to which ~~any such~~ the shareholder is entitled to claim by virtue of the Alabama S corporation’s payment of tax on his or her behalf pursuant to subsection (e), and containing ~~such~~ other information as the Department of Revenue shall prescribe. For purposes of this section, a “composite payment” means a remittance of tax by the Alabama S corporation on behalf of the shareholder or shareholders to which the accompanying composite return relates, applying the highest marginal Alabama income tax rate applicable to individuals for the period in question.

“(c) An Alabama S corporation shall file with the Department of Revenue, in the form prescribed by the Department of Revenue, the agreement of each nonresident shareholder of the corporation (1) to file a return and to make timely payment of all taxes imposed by this chapter on the shareholder with respect to the income of the Alabama S corporation, and (2) to be subject to personal jurisdiction in this state for purposes of the collection of unpaid income tax, together with related interest and penalties, from the nonresident shareholder. If the Alabama S corporation fails timely to file the agreements required by the preceding sentence on behalf of each of its nonresident shareholders, then the corporation shall, at the times set forth in subsection (d) for the filing of ~~such the~~ agreements, pay to this state on behalf of each nonresident shareholder in respect of whom an agreement has not been timely filed an amount equal to ~~the highest marginal income tax rate applicable to individuals for the period in question~~ five percent multiplied by the amount of the shareholder’s pro rata share of the income allocated and apportioned to ~~this state under rules and regulations applicable to foreign corporations~~ Alabama, as reflected on the ~~corporations’ corporation’s~~ return for the period in question. The payment made by the Alabama S corporation on behalf of a nonresident shareholder shall be considered a loan from the corporation to the shareholder, payable on demand, bearing interest from the date of the loan to the date of its payment, at the minimum “applicable Federal rate” with respect to demand instruments, as provided under 26 U.S.C. § 7872.

“(d) The agreements required to be filed pursuant to subsection (c) shall be filed at the following times:

“(1) At the time the annual return is required to be filed for the first taxable year for which the Alabama S corporation becomes subject to ~~the provisions of this article~~, and

“(2) At the time the annual return is required to be filed for any



taxable year in which the Alabama S corporation had a nonresident shareholder on whose behalf ~~such an~~ the agreement has not previously been filed.

“(e) Any amount paid by the Alabama S corporation to this state pursuant to subsection (a) or (c) shall be considered to be a payment by the shareholder on account of the income tax imposed on the shareholder for the year in question.

“§40-27-1.

“The following Multistate Tax Compact is hereby approved, adopted and enacted into law by the State of Alabama:

“MULTISTATE TAX COMPACT

“Article I. Purposes.

“The purposes of this compact are to:

“1. Facilitate proper determination of state and local tax liability of multistate taxpayers, including the equitable apportionment of tax bases and settlement of apportionment disputes.

“2. Promote uniformity or compatibility in significant components of tax systems.

“3. Facilitate taxpayer convenience and compliance in the filing of tax returns and in other phases of tax administration.

“4. Avoid duplicative taxation.

“Article II. Definitions.

“As used in this compact:

“1. “State” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

“2. “Subdivision” means any governmental unit or special district of a state.

“3. “Taxpayer” means any corporation, partnership, firm, association, governmental unit or agency or other person acting as a business entity in more than one state, but does not include any individual.

“4. “Income tax” means a tax imposed on or measured by net income including any tax imposed on or measured by an amount arrived at by deducting expenses from gross income, one or more forms of which expenses are not specifically and directly related to particular transactions.

“5. “Capital stock tax” means a tax measured in any way by the capital of a corporation considered in its entirety.

“6. “Gross receipts tax” means a tax, other than a sales tax, which is imposed on or measured by the gross volume of business, in terms of gross receipts or in other terms, and in the determination of which no deduction is allowed which would constitute the tax an income tax.

“7. “Sales tax” means a tax imposed with respect to the transfer for a consideration of ownership, possession or custody of tangible personal property or the rendering of services measured by the price of the tangible personal property transferred or services rendered and which is required by state or local law to be separately stated from the sales price by the seller, or which is customarily separately stated from the sales price, but does not include a tax imposed exclusively on the sale of a specifically identified commodity or article or class of commodities or articles.

“8. “Use tax” means a nonrecurring tax, other than a sales tax, which (a) is imposed on or with respect to the exercise or enjoyment of any right or power over tangible personal property incident to the ownership, possession or custody of that property or the leasing of that property from another including any consumption, keeping, retention or other use of tangible personal property and (b) is complementary to a sales tax.

“9. “Tax” means an income tax, capital stock tax, gross receipts tax, sales tax, use tax and any other tax which has a multistate impact, except that the provisions of articles III, IV and V of this compact shall apply only to the taxes specifically designated therein and the provisions of article IX of this compact shall apply only in respect to determinations pursuant to article IV.

“Article III. Elements of Income Tax Laws.

“Taxpayer Option, State and Local Taxes.

“1. Any taxpayer subject to an income tax whose income is subject to apportionment and allocation for tax purposes pursuant to the laws of a party state or pursuant to the laws of subdivisions in two or more party states may elect to apportion and allocate his or her income in the manner provided by the laws of such state or by the laws of such states and subdivisions without reference to this compact, or may elect to apportion and

allocate in accordance with article IV. This election for any tax year may be made in all party states or subdivisions thereof or in any one or more of the party states or subdivisions thereof without reference to the election made in the others. For the purposes of this paragraph, taxes imposed by subdivisions shall be considered separately from state taxes and the apportionment and allocation also may be applied to the entire tax base. In no instance wherein article IV is employed for all subdivisions of a state may the sum of all apportionments and allocations to subdivisions within a state be greater than the apportionment and allocation that would be assignable to that state if the apportionment or allocation were being made with respect to a state income tax.

“Taxpayer Option, Short Form.

“2. Each party state or any subdivision thereof which imposes an income tax shall provide by law that any taxpayer required to file a return, whose only activities within the taxing jurisdiction consist of sales and do not include owning or renting real estate or tangible personal property, and whose dollar volume of gross sales made during the tax year within the state or subdivision, as the case may be, is not in excess of \$100,000 may elect to report and pay any tax due on the basis of a percentage of such volume, and shall adopt rates which shall produce a tax which reasonably approximates the tax otherwise due. The multistate tax commission, not more than once in five years, may adjust the \$100,000 figure in order to reflect such changes as may occur in the real value of the dollar, and such adjusted figure, upon adoption by the commission, shall replace the \$100,000 figure specifically provided herein. Each party state and subdivision thereof may make the same election available to taxpayers additional to those specified in this paragraph.

“Coverage.

“3. Nothing in this article relates to the reporting or payment of any tax other than an income tax.

“Article IV. Division of Income.

“1. As used in this article, unless the context otherwise requires:

“(a) “Business income” means income arising from transactions and activity in the regular course of the taxpayer’s trade or business and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer’s regular trade or business operations.

“(b) “Commercial domicile” means the principal place from which the trade or business of the taxpayer is directed or managed.

“(c) “Compensation” means wages, salaries, commissions and any other form of remuneration paid to employees for personal services.

“(d) “Financial organization” means any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, credit union, cooperative bank, small loan company, sales finance company, investment company or any type of insurance company.

“(e) “Nonbusiness income” means all income other than business income.

“(f) “Public utility” means any business entity (1) which owns or operates any plant, equipment, property, franchise or license for the transmission of communications, transportation of goods or persons, except by pipeline, or the production, transmission, sale, delivery, or furnishing of electricity, water or steam; and (2) whose rates of charges for goods or services have been established or approved by a federal, state or local government or governmental agency.

“(g) “Sales” means all gross receipts of the taxpayer not allocated under paragraphs of this article.

“(h) “State” means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and any foreign country or political subdivision thereof.

“(i) “This state” means the state in which the relevant tax return is filed or, in the case of application of this article to the apportionment and allocation of income for local tax purposes, the subdivision or local taxing district in which the relevant tax return is filed.

“2. Any taxpayer having income from business activity which is taxable both within and without this state, other than activity as a financial organization or public utility ~~or the rendering of purely personal services by~~ an individual, shall allocate and apportion his or her or its net income as provided in this article. If a taxpayer has income from business activity as a public utility but derives the greater percentage of his or her or its income from activities subject to this article, the taxpayer may elect to allocate and apportion his or her or its entire net income as provided in this article.

“3. For purposes of allocation and apportionment of income under

this article, a taxpayer is taxable in another state if (1) in that state he or she or it is subject to a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business, or a corporate stock tax, or (2) that state has jurisdiction to subject the taxpayer to a net income tax regardless of whether, in fact, the state does or does not.

“4. Rents and royalties from real or tangible personal property, capital gains, interest, dividends or patent or copyright royalties, to the extent that they constitute nonbusiness income, shall be allocated as provided in paragraphs 5 through 8 of this article.

“5. (a) Net rents and royalties from real property located in this state are allocable to this state.

“(b) Net rents and royalties from tangible personal property are allocable to this state: (1) if and to the extent that the property is utilized in this state, or (2) in their entirety if the taxpayer’s commercial domicile is in this state and the taxpayer is not organized under the laws of or taxable in the state in which the property is utilized.

“(c) The extent of utilization of tangible personal property in a state is determined by multiplying the rents and royalties by a fraction, the numerator of which is the number of days of physical location of the property in the state during the rental or royalty period in the taxable year and the denominator of which is the number of days of physical location of the property everywhere during all rental or royalty periods in the taxable year. If the physical location of the property during the rental or royalty period is unknown or unascertainable by the taxpayer, tangible personal property is utilized in the state in which the property was located at the time the rental or royalty payer obtained possession.

“6. (a) Capital gains and losses from sales of real property located in this state are allocable to this state.

“(b) Capital gains and losses from sales of tangible personal property are allocable to this state if (1) the property had a situs in this state at the time of the sale, or (2) the taxpayer’s commercial domicile is in this state and the taxpayer is not taxable in the state in which the property had a situs.

“(c) Capital gains and losses from sales of intangible personal property are allocable to this state if the taxpayer’s commercial domicile is in this state.

“7. Interest and dividends are allocable to this state if the taxpayer’s commercial domicile is in this state.

"8. (a) Patent and copyright royalties are allocable to this state: (1) if and to the extent that the patent or copyright is utilized by the payer in this state, or (2) if and to the extent that the patent copyright is utilized by the payer in a state in which the taxpayer is not taxable and the taxpayer's commercial domicile is in this state.

"(b) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing or other processing in the state or to the extent that a patented product is produced in the state. If the basis of receipts from patent royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the patent is utilized in the state in which the taxpayer's commercial domicile is located.

"(c) A copyright is utilized in a state to the extent that printing or other publication originates in the state. If the basis of receipts from copyright royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the copyright is utilized in the state in which the taxpayer's commercial domicile is located.

"9. All business income shall be apportioned to this state by multiplying the income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor, and the denominator of which is three.

"10. The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned or rented and used in this state during the tax period and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned or rented and used during the tax period.

"11. Property owned by the taxpayer is valued at its original cost. Property rented by the taxpayer is valued at eight times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals.

"12. The average value of property shall be determined by averaging the values at the beginning and ending of the tax period but the tax administrator may require the averaging of monthly values during the tax period if reasonably required to reflect properly the average value of the taxpayer's property.

"13. The payroll factor is a fraction, the numerator of which is the total amount paid in this state during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period.

“14. Compensation is paid in this state if:

“(a) The individual’s service is performed entirely within the state;

“(b) The individual’s service is performed both within and without the state, but the service performed without the state is incidental to the individual’s service within the state; or

“(c) Some of the service is performed in the state and (1) the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in the state, or (2) the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual’s residence is in this state.

“15. The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in this state during the tax period, and the denominator of which is the total sales of the taxpayer everywhere during the tax period.

“16. Sales of tangible personal property are in this state if:

“(a) The property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of the f.o.b. point or other conditions of the sale; or

“(b) The property is shipped from an office, store, warehouse, factory, or other place of storage in this state and (1) the purchaser is the United States government or (2) the taxpayer is not taxable in the state of the purchaser.

“17. Sales, other than sales of tangible personal property, are in this state if:

“(a) The income-producing activity is performed in this state; or

“(b) The income-producing activity is performed both in and outside this state and a greater proportion of the income-producing activity is performed more in this state than in any other state, based on costs of performance.

“18. If the allocation and apportionment provisions of this article do not fairly represent the extent of the taxpayer’s business activity in this state, the taxpayer may petition for or the tax administrator may require, in respect to all or any part of the taxpayer’s business activity, if reasonable:

“(a) Separate accounting;

“(b) The exclusion of any one or more of the factors;

“(c) The inclusion of one or more additional factors which will fairly represent the taxpayer’s business activity in this state; or

“(d) The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer’s income.

“Article V. Elements of Sales and Use Tax Laws.

“Tax Credit.

“1. Each purchaser liable for a use tax on tangible personal property shall be entitled to full credit for the combined amount or amounts of legally imposed sales or use taxes paid by him or her with respect to the same property to another state and any subdivision thereof. The credit shall be applied first against the amount of any use tax due the state, and any unused portion of the credit shall then be applied against the amount of any use tax due a subdivision.

“Exemption Certificates, Vendors May Rely.

“2. Whenever a vendor receives and accepts in good faith from a purchaser a resale or other exemption certificate or other written evidence of exemption authorized by the appropriate state or subdivision taxing authority, the vendor shall be relieved of liability for a sales or use tax with respect to the transaction.

“Article VI. The Commission.

“Organization and Management.

“1. (a) The Multistate Tax Commission is hereby established. It shall be composed of one “member” from each party state who shall be the head of the state agency charged with the administration of the types of taxes to which this compact applies. If there is more than one such agency the state shall provide by law for the selection of the commission member from the heads of the relevant agencies. State law may provide that a member of the commission be represented by an alternate but only if there is on file with the commission written notification of the designation and identity of the alternate. The Attorney General of each party state or his or her designee, or other counsel if the laws of the party state specifically provide, shall be entitled to attend the meetings of the commission, but shall not vote. Such Attorneys General, designees, or other counsel shall receive all notices of meetings required under paragraph 1 (e) of this article.



“(b) Each party state shall provide by law for the selection of representatives from its subdivisions affected by this compact to consult with the commission member from that state.

“(c) Each member shall be entitled to one vote. The commission shall not act unless a majority of the members are present, and no action shall be binding unless approved by a majority of the total number of members.

“(d) The commission shall adopt an official seal to be used as it may provide.

“(e) The commission shall hold an annual meeting and such other regular meetings as its bylaws may provide and such special meetings as its executive committee may determine. The commission bylaws shall specify the dates of the annual and any other regular meetings, and shall provide for the giving of notice of annual, regular and special meetings. Notices of special meetings shall include the reasons therefor and an agenda of the items to be considered.

“(f) The commission shall elect annually, from among its members, a ~~chairman chair~~, a ~~vice-chairman~~ vice chair and a treasurer. The commission shall appoint an executive director who shall serve at its pleasure, and it shall fix his or her duties and compensation. The executive director shall be secretary of the commission. The commission shall make provision for the bonding of such of its officers and employees as it may deem appropriate.

“(g) Irrespective of the civil service, personnel or other merit system laws of any party state, the executive director shall appoint or discharge such personnel as may be necessary for the performance of the functions of the commission and shall fix their duties and compensation. The commission bylaws shall provide for personnel policies and programs.

“(h) The commission may borrow, accept or contract for the services of personnel from any state, the United States, or any other governmental entity.

“(i) The commission may accept for any of its purposes and functions any and all donations and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any governmental entity, and may utilize and dispose of the same.

“(j) The commission may establish one or more offices for the transacting of its business.

“(k) The commission shall adopt bylaws for the conduct of its business. The commission shall publish its bylaws in convenient form, and shall file a copy of the bylaws and any amendments thereto with the appropriate agency or officer in each of the party states.

“(l) The commission annually shall make to the Governor and legislature of each party state a report covering its activities for the preceding year. Any donation or grant accepted by the commission or services borrowed shall be reported in the annual report of the commission, and shall include the nature, amount and conditions, if any, of the donation, gift, grant or services borrowed and the identity of the donor or lender. The commission may make additional reports as it may deem desirable.

“Committees.

“2. (a) To assist in the conduct of its business when the full commission is not meeting, the commission shall have an executive committee of seven members, including the ~~chairman~~ chair, ~~vice-chairman~~ vice chair, treasurer and four other members elected annually by the commission. The executive committee, subject to the provisions of this compact and consistent with the policies of the commission, shall function as provided in the bylaws of the commission.

“(b) The commission may establish advisory and technical committees, membership on which may include private persons and public officials, in furthering any of its activities. Such committees may consider any matter of concern to the commission, including problems of special interest to any party state and problems dealing with particular types of taxes.

“(c) The commission may establish such additional committees as its bylaws may provide.

“Powers.

“3. In addition to powers conferred elsewhere in this compact, the commission shall have power to:

“(a) Study state and local tax systems and particular types of state and local taxes.

“(b) Develop and recommend proposals for an increase in uniformity or compatibility of state and local tax laws with a view toward encouraging the simplification and improvement of state and local tax law and administration.

“(c) Compile and publish information as in its judgment would assist the party states in implementation of the compact and taxpayers in complying with state and local tax laws.

“(d) Do all things necessary and incidental to the administration of its functions pursuant to this compact.

“Finance.

“4. (a) The commission shall submit to the Governor or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

“(b) Each of the commission’s budgets of estimated expenditures shall contain specific recommendations of the amounts to be appropriated by each of the party states. The total amount of appropriations requested under any such budget shall be apportioned among the party states as follows: one tenth in equal shares; and the remainder in proportion to the amount of revenue collected by each party state and its subdivisions from income taxes, capital stock taxes, gross receipts taxes, sales and use taxes. In determining such amounts, the commission shall employ such available public sources of information as, in its judgment, present the most equitable and accurate comparisons among the party states. Each of the commission’s budgets of estimated expenditures and requests for appropriations shall indicate the sources used in obtaining information employed in applying the formula contained in this paragraph.

“(c) The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under paragraph 1 (i) of this article: Provided that the commission takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under paragraph 1 (i), the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

“(d) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its by-laws. All receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the commission.

“(e) The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

“(f) Nothing contained in this article shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

“Article VII. Uniform Regulations and Forms.

“1. Whenever any two or more party states, or subdivisions of party states, have uniform or similar provisions of law relating to an income tax, capital stock tax, gross receipts tax, sales or use tax, the commission may adopt uniform regulations for any phase of the administration of such law, including assertion of jurisdiction to tax, or prescribing uniform tax forms. The commission may also act with respect to the provisions of article IV of this compact.

“2. Prior to the adoption of any regulation, the commission shall:

“(a) As provided in its bylaws, hold at least one public hearing on due notice to all affected party states and subdivisions thereof and to all taxpayers and other persons who have made timely request of the commission for advance notice of its regulation-making proceedings.

“(b) Afford all affected party states and subdivisions and interested persons an opportunity to submit relevant written data and views, which shall be considered fully by the commission.

“3. The commission shall submit any regulations adopted by it to the appropriate officials of all party states and subdivisions to which they might apply. Each such state and subdivision shall consider any such regulation for adoption in accordance with its own laws and procedures.

“Article VIII. Interstate Audits.

“1. This article shall be in force only in those party states that specifically provide therefor by statute.

“2. Any party state or subdivision thereof desiring to make or participate in an audit of any accounts, books, papers, records or other documents may request the commission to perform the audit on its behalf. In responding to the request, the commission shall have access to and may examine, at any reasonable time, such accounts, books, papers, records and

other documents and any relevant property or stock of merchandise. The commission may enter into agreements with party states or their subdivisions for assistance in performance of the audit. The commission shall make charges, to be paid by the state or local government or governments for which it performs the service, for any audits performed by it in order to reimburse itself for the actual costs incurred in making the audit.

“3. The commission may require the attendance of any person within the state where it is conducting an audit or part thereof at a time and place fixed by it within such state for the purpose of giving testimony with respect to any account, book, paper, document, other record, property or stock of merchandise being examined in connection with the audit. If the person is not within the jurisdiction, he or she may be required to attend for such purpose at any time and place fixed by the commission within the state of which he or she is a resident: Provided that such state has adopted this article.

“4. The commission may apply to any court having power to issue compulsory process for orders in aid of its powers and responsibilities pursuant to this article and any and all such courts shall have jurisdiction to issue such orders. Failure of any person to obey any such order shall be punishable as contempt of the issuing court. If the party or subject matter on account of which the commission seeks an order is within the jurisdiction of the court to which application is made, such application may be to a court in the state or subdivision on behalf of which the audit is being made or a court in the state in which the object of the order being sought is situated. The provisions of this paragraph apply only to courts in a state that has adopted this article.

“5. The commission may decline to perform any audit requested if it finds that its available personnel or other resources are insufficient for the purpose or that, in the terms requested, the audit is impracticable of satisfactory performance. If the commission, on the basis of its experience, has reason to believe that an audit of a particular taxpayer, either at a particular time or on a particular schedule, would be of interest to a number of party states or their subdivisions, it may offer to make the audit or audits, the offer to be contingent on sufficient participation therein as determined by the commission.

“6. Information obtained by an audit pursuant to this article shall be confidential and available only for tax purposes to party states, their subdivisions or the United States. Availability of information shall be in accordance with the laws of the states or subdivisions on whose account the commission performs the audit, and only through the appropriate agencies or officers of such states or subdivisions. Nothing in this article shall be

construed to require any taxpayer to keep records for any period not otherwise required by law.

“7. Other arrangements made or authorized pursuant to law for cooperative audit by or on behalf of the party states or any of their subdivisions are not superseded or invalidated by this article.

“8. In no event shall the commission make any charge against a taxpayer for an audit.

“9. As used in this article, “tax,” in addition to the meaning ascribed to it in article II, means any tax or license fee imposed in whole or in part for revenue purposes.

“Article IX. Arbitration.

“1. Whenever the commission finds a need for settling disputes concerning apportionments and allocations by arbitration, it may adopt a regulation placing this article in effect, notwithstanding the provisions of article VII.

“2. The commission shall select and maintain an arbitration panel composed of officers and employees of state and local governments and private persons who shall be knowledgeable and experienced in matters of tax law and administration.

“3. Whenever a taxpayer who has elected to employ article IV, or whenever the laws of the party state or subdivision thereof are substantially identical with the relevant provisions of article IV, the taxpayer, by written notice to the commission and to each party state or subdivision thereof that would be affected, may secure arbitration of an apportionment or allocation, if he or she is dissatisfied with the final administrative determination of the tax agency of the state or subdivision with respect thereto on the ground that it would subject him or her to double or multiple taxation by two or more party states or subdivisions thereof. Each party state and subdivision thereof hereby consents to the arbitration as provided herein, and agrees to be bound thereby.

“4. The arbitration board shall be composed of one person selected by the taxpayer, one by the agency or agencies involved, and one member of the commission’s arbitration panel. If the agencies involved are unable to agree on the person to be selected by them, such person shall be selected by lot from the total membership of the arbitration panel. The two persons selected for the board in the manner provided by the foregoing provisions of this paragraph shall jointly select the third member of the board. If they are

unable to agree on the selection, the third member shall be selected by lot from among the total membership of the arbitration panel. No member of a board selected by lot shall be qualified to serve if he or she is an officer or employee or is otherwise affiliated with any party to the arbitration proceeding. Residence within the jurisdiction of a party to the arbitration proceeding shall not constitute affiliation within the meaning of this paragraph.

“5. The board may sit in any state or subdivision party to the proceeding, in the state of the taxpayer’s incorporation, residence or domicile, in any state where the taxpayer does business, or in any place that it finds most appropriate for gaining access to evidence relevant to the matter before it.

“6. The board shall give due notice of the times and places of its hearings. The parties shall be entitled to be heard, to present evidence, and to examine and cross-examine witnesses. The board shall act by majority vote.

“7. The board shall have power to administer oaths, take testimony, subpoena and require the attendance of witnesses and the production of accounts, books, papers, records, and other documents, and issue commissions to take testimony. Subpoenas may be signed by any member of the board. In case of failure to obey a subpoena, and upon application by the board, any judge of a court of competent jurisdiction of the state in which the board is sitting or in which the person to whom the subpoena is directed may be found may make an order requiring compliance with the subpoena, and the court may punish failure to obey the order as a contempt. The provisions of this paragraph apply only in states that have adopted this article.

“8. Unless the parties otherwise agree the expenses and other costs of the arbitration shall be assessed and allocated among the parties by the board in such manner as it may determine. The commission shall fix a schedule of compensation for members of arbitration boards and of other allowable expenses and costs. No officer or employee of a state or local government who serves as a member of a board shall be entitled to compensation therefor unless he or she is required on account of his or her service to forego the regular compensation attaching to his or her public employment, but any such board member shall be entitled to expenses.

“9. The board shall determine the disputed apportionment or allocation and any matters necessary thereto. The determinations of the board shall be final for purposes of making the apportionment or allocation, but for no other purpose.

“10. The board shall file with the commission and with each tax agency represented in the proceeding: the determination of the board; the board’s written statement of its reasons therefor; the record of the board’s proceedings; and any other documents required by the arbitration rules of the commission to be filed.

“11. The commission shall publish the determinations of boards together with the statements of the reasons therefor.

“12. The commission shall adopt and publish rules of procedure and practice and shall file a copy of such rules and of any amendment thereto with the appropriate agency or officer in each of the party states.

“13. Nothing contained herein shall prevent at any time a written compromise of any matter or matters in dispute, if otherwise lawful, by the parties to the arbitration proceeding.

“Article X. Entry Into Force and Withdrawal.

“1. This compact shall enter into force when enacted into law by any seven states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof. The commission shall arrange for notification of all party states whenever there is a new enactment of the compact.

“2. Any party state may withdraw from this compact by enacting a statute repealing the same. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

“3. No proceeding commenced before an arbitration board prior to the withdrawal of a state and to which the withdrawing state or any subdivision thereof is a party shall be discontinued or terminated by the withdrawal, nor shall the board thereby lose jurisdiction over any of the parties to the proceeding necessary to make a binding determination therein.

“Article XI. Effect on Other Laws and Jurisdiction.

“Nothing in this compact shall be construed to:

“(a) Affect the power of any state or subdivision thereof to fix rates of taxation, except that a party state shall be obligated to implement article III 2 of this compact.

“(b) Apply to any tax or fixed fee imposed for the registration of a



motor vehicle or any tax on motor fuel, other than a sales tax: Provided that the definition of "tax" in article VIII 9 may apply for the purposes of that article and the commission's powers of study and recommendation pursuant to article VI 3 may apply.

"(c) Withdraw or limit the jurisdiction of any state or local court or administrative officer or body with respect to any person, corporation or other entity or subject matter, except to the extent that such jurisdiction is expressly conferred by or pursuant to this compact upon another agency or body.

"(d) Supersede or limit the jurisdiction of any court of the United States.

"Article XII. Construction and Severability.

"This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters."

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

Section 6. (a) Except as otherwise provided in this section, this act shall be effective for all taxable years beginning after December 31, 1996.

(b) The amendments made to Sections 40-18-1, 40-18-6, 40-18-8, and 40-18-24 shall be effective for all taxable years with respect to which a preliminary assessment of income tax could be made under Section 40-2A-7; provided however, that no refunds shall be due or issued by reason of this subsection with respect to taxable years beginning before January 1, 1997.

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate:

**SB 314.** To prohibit physicians from performing partial-birth abortions; to prescribe penalties for violations of this act.

GREG PAPPAS,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Bedford, the Senate concurred in and adopted the following House amendment to the Bill, SB 314, the title of which is set out in the foregoing Message from the House, to-wit:

**AMENDMENT TO SB 314**

Amend S. 314 on Page 2, line 19 by adding a new Section 4 as follows and renumbering the subsequent section:

“Section 4. Life of the mother exception. Section 3. shall not apply to a partial-birth abortion that is necessary to save the life of a mother.”

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Sanderford:

**HJR 545.** COMMENDING RYAN CONFER ON HIS OUTSTANDING ACADEMIC ACHIEVEMENTS.

Also:

By Reps. Parker (T), Allen, Layson, and Guin:

**HJR 546.** MOURNING THE DEATH OF HAROLD MCABEE OF TUSCALOOSA, ALABAMA.

Also:

By Rep. Page:

**HJR 547.** COMMENDING COACH RUDY ABBOTT ON HIS OUTSTANDING ATHLETIC ACHIEVEMENTS.

GREG PAPPAS,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Barron, the Rules were suspended and the Resolutions, HJR's 545, 546, and 547, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Laird and Flowers:

**HJR 543.** CREATING THE HEALTH DELIVERY SYSTEMS

JOINT INTERIM LEGISLATIVE COMMITTEE.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

The Resolution, HJR 543, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Drake, Morrow, and Knight (J):

**HJR 505. EXTENDING THE REPORTING TIME OF THE JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE FEASIBILITY OF BUILDING TOLL ROADS FROM HUNTSVILLE TO GULF SHORES, ALABAMA.**

WHEREAS, the Legislature created the Joint Interim Legislative Committee on the Feasibility Study on Establishing Toll Roads from Huntsville to Gulf Shores, pursuant to HJR 151, Act 92-107 of the 1992 Regular Session (Acts 1992, p. 177), and pursuant to HJR 28, Act 93-45 of the 1993 Regular Session (Acts 1993, p. 98), HJR 339 of the 1994 Regular Session (Acts 1994, p. 680), and HJR 493, Act 95-492 of the 1995 Regular Session (Acts 1995, p. 993), extended the time for submission of the committee's report; and

WHEREAS, the committee was originally directed to report its findings on the 30th legislative day of the 1993 Regular Session; and

WHEREAS, the Legislature finds that the committee should be provided an extension of time to report its findings; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Joint Interim Legislative Committee to Study the Feasibility of Building Toll Roads from Huntsville to Gulf Shores, Alabama, shall report its findings, conclusion, and recommendations to the Legislature not later than the 30th legislative day of the 1999 Regular Session; and that the remainder of the \$10,000

total expenditure limit established in Act 92-107 be carried forward for the completion of the committee's work, to the extent that the total amount has not been fully expended.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Dial, the Rules were suspended and the Resolution, HJR 505, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Laird:

**HJR 523.** HONORING DR. HECTOR MACK RUMBLEY, D.V.M., ON 50 YEARS OF VETERINARY MEDICAL PRACTICE.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Dial, the Rules were suspended and the Resolution, HJR 523, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### BILLS ON THIRD READING RESUMED

Senator Myers requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 191.** To provide for distinctive motor vehicle license plates for supporters of the Alabama Wildlife Federation; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

And said Bill, HB 191, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holmes:

**HJR 569.** CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE ON THE MONTGOMERY COUNTY DEPARTMENT OF HUMAN RESOURCES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the Montgomery County Department of Human Resources. The committee shall be composed of members of the Montgomery County Legislative Delegation, both House and Senate. The chair and vice chair of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of the department.

Upon the request of the chair, the Secretary of the Senate and the Clerk of the House of Representatives shall provide the clerical assistance necessary for the committee's work. The committee shall report its findings, conclusions, and recommendations to the Legislature not later than the 5th legislative day of the 1998 Regular Session, whereupon the committee shall stand dissolved and discharged of any further duties and liabilities. Each member of the committee shall be entitled to his or her regular legislative compensation and his or her per diem for each day he or she attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the State Comptroller upon requisitions signed by the chair of the committee. Notwithstanding the foregoing, no member shall receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid

any other payments on the same dates for attendance on other state business. The total expenditures of the committee shall not exceed \$7,500.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Amari, the Rules were suspended and the Resolution, HJR 569, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Jackson:

**HJR 502.** CREATING THE BLACK BELT INFRASTRUCTURE DEVELOPMENT JOINT INTERIM LEGISLATIVE COMMITTEE.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

The Resolution, HJR 502, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Morton:

**HJR 480.** MOURNING THE DEATH OF CHRIS FULLERTON OF BIRMINGHAM, ALABAMA.

Also:

By Rep. Melton:

**HJR 487.** COMMENDING THE SHELTON STATE COMMUNITY COLLEGE GOLF TEAM ON ITS ALABAMA STATE JUNIOR COLLEGE GOLF CHAMPIONSHIPS.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Dial, the Rules were suspended and the Resolutions, HJR's 480 and 487, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Rep. Melton:

**HJR 486.** CREATING THE WEST ALABAMA SCHOLASTIC ACHIEVEMENT JOINT INTERIM COMMITTEE.

And sends same herewith to the Senate for its consideration.

GREG PAPPAS,  
Clerk.

### HOUSE MESSAGE

The Resolution, HJR 486, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

**HB 54.** Requiring the Code Commissioner to have acts of the



Legislature and the Code of Alabama 1975 copyrighted; permitting state agencies to purchase the code and abolishing portions of the present distribution system; providing that the contract for the publishing and selling of the Code of Alabama 1975 shall not be subject to laws regarding competitive bidding contracts; providing for the determination of the price the publisher will charge for the sale of the code; providing for maintenance of distribution records, ownership, judicial action for the value of misappropriated codes, and appropriations; permitting the Code Commissioner, upon a determination by the Legislative Council, to contract for the publishing of compilations of portions of the code regarding a specific state agency; repealing provisions regarding lost or destroyed copies and distribution; amending Sections 36-13-5, 41-21-1, 41-21-4, 41-21-5, 41-21-6, 41-21-7, and 41-21-8, Code of Alabama 1975; repealing Sections 41-21-2 and 41-21-3, Code of Alabama 1975; and providing a prospective effective date for certain sections of the act.

said Conference Report being in words and figures as follows:

**REPORT OF CONFERENCE COMMITTEE ON HB 54**

We, the Committee of Conference appointed to reconcile the difference between the two houses concerning House Bill 54, have met, considered the matter, and agreed to the following attached substitute:

Respectfully submitted,

DEMETRIUS NEWTON,  
MIKE HILL,  
JOHN HILLIARD,

Conferees on the part of the House.

DELL HILL,  
WENDELL MITCHELL,  
PAT LINDSEY,

Conferees on the part of the Senate.

**CONFERENCE COMMITTEE SUBSTITUTE FOR HB 54**

A BILL  
TO BE ENTITLED  
AN ACT

Requiring the Code Commissioner to have acts of the Legislature

and the Code of Alabama 1975 copyrighted; permitting state agencies to purchase the code and abolishing portions of the present distribution system; providing that the contract for the publishing and selling of the Code of Alabama 1975 shall not be subject to laws regarding competitive bidding contracts; providing for the determination of the price the publisher will charge for the sale of the code; providing for maintenance of distribution records, ownership, judicial action for the value of misappropriated codes, and appropriations; permitting the Code Commissioner, upon a determination by the Legislative Council, to contract for the publishing of compilations of portions of the code regarding a specific state agency; repealing provisions regarding lost or destroyed copies and distribution; amending Sections 36-13-5, 41-21-1, 41-21-4, 41-21-5, 41-21-6, 41-21-7, and 41-21-8, Code of Alabama 1975; repealing Sections 41-21-2 and 41-21-3, Code of Alabama 1975; and providing a prospective effective date for certain sections of the act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-13-5, Code of Alabama 1975, is amended to read as follows:

“§36-13-5.

~~“The governor must cause to be copyrighted, for the use and benefit of the state, Code Commissioner shall have each volume of the pamphlet acts of the legislature at each session thereof and each volume of this Code~~ the code copyrighted for the use and benefit of the state.”

Section 2. Section 41-21-1, Code of Alabama 1975, is amended to read as follows:

“§41-21-1.

“(a) A state agency, department, institution, bureau, board, commission, or office may purchase, from any of its available funds, sets of the Code of Alabama 1975, or any portion of the code, including, but not limited to, supplements, replacement volumes, and indexes, in any form or medium.

“(b) It shall be the duty of the The secretary of state, on publication and delivery to the state, to shall transmit sets of the 1975 Code of Alabama 1975, and supplements or replacement volumes thereof, as follows: to the following agencies, departments, institutions, bureaus, boards, commissions and offices:

~~“(1) One set to the law library of congress;~~

~~“(2)(1) One set to the custodian of the law library of the court of last resort of every state and territory for exchange upon the approval of the state law librarian of the request therefor;.~~

~~“(3) One set to the library of the University of Alabama and one set to the land commissioner of the University of Alabama;~~

~~“(4)(2) Two sets to each member of the legislature, including the lieutenant governor, for each legislative term, and to the clerk of the house and to the secretary of the senate; A request shall be presented by a Member of the Legislature or the Lieutenant Governor to the Secretary of State prior to the issuance of the sets of the code to the Member or the Lieutenant Governor.~~

~~“(5) One set to the library of each junior college, trade school, technical college and public institution of higher education;~~

~~“(6)(3) Ten sets to the librarian of the supreme court and state law library for the use of the library;.~~

~~“(7) Two sets to the department of archives and history;~~

~~“(8) Four sets to the governor’s office;~~

~~“(9) Fifty-five sets to the attorney general’s office;~~

~~“(10) Eleven sets to the legislative reference service;~~

~~“(11)(4) Four sets to the department of court management; Administrative Office of Courts.~~

~~“(12) Three sets to the state superintendent of education;~~

~~“(13) Seven sets to the department of mental health;~~

~~“(14) Ten sets to the department of public safety;~~

~~“(15) Two sets to the department of agriculture and industries;~~

~~“(16) Three sets to the alcoholic beverage control board;~~

~~“(17) Three sets to the banking department;~~

- ~~“(18) Two sets to the state military department;~~
- ~~“(19) Three sets to the state department of insurance;~~
- ~~“(20) Five sets to the board of corrections;~~
- ~~“(21) Five sets to the health department;~~
- ~~“(22) Four sets to the department of industrial relations;~~
- ~~“(23) Two sets to the retirement systems of Alabama;~~
- ~~“(24) Six sets to the finance department;~~
- ~~“(25) Four sets to the pardons and paroles board;~~
- ~~“(26) Four sets to the conservation and natural resources department;~~
- ~~“(27) Five sets to the highway department;~~
- ~~“(28) Three sets to the department of labor;~~
- ~~“(29) Five sets to the public service commission;~~
- ~~“(30) Five sets to the department of pensions and security;~~
- ~~“(31) Ten sets to the department of revenue;~~
- ~~“(32) Five sets to the state toxicologist;~~
- ~~“(33) One set to each functioning agency, department, institution, bureau, board and commission of state government not otherwise provided for by this chapter, upon application therefor to the secretary of state;~~
- ~~“(34) One set each to every congressman and representative from the state of Alabama in the congress of the United States;~~
- ~~“(35) One set each to every sheriff;~~
- ~~“(36) One set to the commission of each county for use of said county commission and for use of the tax assessor, tax collector and other county officers to whom distribution is not otherwise provided;~~
- ~~“(37)~~(5) One set to the circuit court of each county and, in counties having two courthouses, one set for the office of the circuit clerk maintained in each of ~~said~~ the courthouses;.

~~“(38)(6)~~ One set to the register of the circuit court in every county and, in counties having two courthouses, one set to the office of the register maintained in each of ~~said the~~ courthouses; provided, however, that in counties where the offices of circuit clerk and of register are held by the same person, only one set shall be provided;.

~~“(39)(7)~~ One set to the clerk of the district court and juvenile court in counties where clerks offices for these courts are maintained;.

~~“(40)(8)~~ One set to the ~~probate~~ judge of probate of each county;.

~~“(41)(9)~~ One set to every justice of the supreme court and every judge of the court of criminal appeals and court of civil appeals and one set to each law clerk or research assistant thereof;.

~~“(42)(10)~~ One set each to the clerk of the supreme court, court of criminal appeals, and court of civil appeals and the reporter of decisions;.

~~“(43)(11)~~ One set to every judge of the circuit and district courts;.

~~“(44) One set to every district attorney and deputy district attorney;~~

~~“(45) One set to the office of the secretary of the senate for the use of the senate and one set to the office of the clerk of the house of representatives for the use of the house of representatives;~~

~~“(46) One set to the mayor or other executive or presiding officer of each municipality for use of such municipality;~~

~~“(47) Two sets to the Alabama state bar association; and~~

~~“(48)(12)~~ Five Six sets to the clerk of the house of representatives and ~~five~~ six sets to the secretary of the senate.”

Section 3. Section 41-21-4, Code of Alabama 1975, is amended to read as follows:

“§41-21-4.

“(a) Any contract to publish the official code of the statutes of Alabama under Section 29-7-6 may relate to any medium or form of the code and shall not be subject to the competitive bid laws of the state, including, but not limited to, Article 2 (commencing with Section 41-16-20) and Article 3 (commencing with Section 41-16-50) of Chapter 16 of this title.

~~“(b) The publisher of the 1975 Code of Alabama is hereby authorized to A person under contract with the state to publish the official code of the statutes of Alabama may sell said annotated the code or any portion of the code, in any form or medium, pursuant to the contract to any person, firm, or corporation within or without outside the state, so long as the same are available for sale if it is sold at prices as may be determined and fixed by said the publisher and the governor Legislative Council.”~~

Section 4. Section 41-21-5, Code of Alabama 1975, is amended to read as follows:

“§41-21-5.

~~“Except those sets of codes distributed to members of the legislature and the lieutenant governor persons specified in subdivision (2) of subsection (b) of Section 41-21-1, the title to a set of the code, or any portion of the code, including, but not limited to, supplements, replacement volumes, and indexes, in any medium or form, purchased by a state agency, department, institution, bureau, board, commission, or office under this chapter, the title to all of the sets of the annotated code, the distribution of which to officers and offices of the state and the several counties and municipalities thereof is provided for in this chapter, shall forever remain in the state of Alabama and said sets shall never shall belong to the state and shall not become the personal property of any person or corporation, however long they shall have had possession of the set or portion of the set thereof. Officers, employees, and agents of the state and of the several counties thereof to whom who receive a set or portion of a set, in any medium or form, of said annotated the code is transmitted by the secretary of state under the provisions of this chapter paid for with public funds, upon the severance of their connection with their offices, employments or agencies state agency, department, institution, bureau, board, commission, or office, shall deliver over to their successors, if any, and, if there are no successors, to the secretary of state, sets of the annotated the code or portion of the code, in any medium or form, in their custody. Upon the failure of any officer, employee, or agent to comply with the provisions of this section relative to the return of sets of annotated code in their custody, they, the person and the sureties upon their official bonds, if any, shall be liable for the value of the sets or volumes thereof set or portion of the code, in any medium or form, not returned, as required by this section, to be The value shall be recovered by action in the name of the state, commenced and prosecuted by the district attorney of the county of their respective residences in any where the person resides in a court of appropriate having jurisdiction of said action.”~~

Section 5. Section 41-21-6, Code of Alabama 1975, is amended to read as follows:

“§41-21-6.

~~“It shall be the duty of the~~ The secretary of state ~~to take~~ shall maintain receipts from each public official of the state ~~and of the several counties~~ to whom he distributes sets of said ~~annotated~~ the code or portion of the code, in any form or medium, were distributed by the Secretary of State under this chapter. And, in the event that the secretary of state shall transmit sets for the use of all of the officers of a county to one officer of the county for distribution to the several officers in said county entitled thereto, the officer making such distribution shall take receipts from the officers, agents or employees in said county to whom he distributes said sets, showing the number of sets distributed and the date of distribution, which said receipts must be witnessed by the officer distributing the same, and said receipts shall forthwith be sent by registered mail to the office of the secretary of state.

“The secretary of state shall register in a well bound book, which shall be keep a permanent record in his the office, containing the name, official title, and address of every each public official, employee or agent of the state and of the several counties thereof to whom has been distributed sets of said ~~annotated~~ the code or portion of the code, in any form or medium, have been distributed by the Secretary of State under the provisions of this chapter, ~~and who has~~ The book shall specify who signed a receipt therefor and shall record for the code, the date of said distribution, and the number of sets distributed to each such the officer, agent or employee. Upon the return of any sets or portions of sets, in any form or medium, by officers, agents, and employees of the state or of any county thereof, as provided in this chapter, the secretary of state shall note in said the record book the date of said return and the number of sets or volumes or portions of sets, in any form or medium, returned.”

Section 6. Section 41-21-7, Code of Alabama 1975, is amended to read as follows:

“§41-21-7.

“The governor of the state of Alabama shall be and he is hereby authorized to Code Commissioner may contract for the preparation and publication of a compilation or abridgment in any form or medium of those sections of the Code of Alabama relating to a specific agency, department, institution, bureau, board, or commission, or subject which, in the opinion of the governor Legislative Council, is essential to the effective performance of the duties of said the agency, department, institution, bureau, board, or commission requesting the publication. Such A contract for the publication of such a compilation or abridgment may be entered into only after funds

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have been appropriated or ~~is~~ are otherwise available to ~~such the~~ agency, department, institution, bureau, board, or commission for ~~such the~~ publication. ~~Such The~~ compilation ~~shall~~ may be completely indexed and may include the annotations to the sections of the code included in the compilation.”

Section 7. Section 41-21-8, Code of Alabama 1975, is amended to read as follows:

“§41-21-8.

“There is ~~hereby~~ appropriated, out of the moneys in the state treasury not otherwise appropriated, such amounts of money as are, or may be, necessary to carry out the provisions of this chapter relating to the distribution of ~~the sets of said the~~ code ~~to the several state and county officers, agents and employees.~~”

Section 8. Sections 41-21-2 and 41-21-3, Code of Alabama 1975, are repealed.

Section 9. Sections 2, 4, 5, 7, and 8 of this act shall become effective on October 1, 1998. The remaining sections of this act shall become effective immediately upon passage and approval by the Governor, or otherwise becoming a law.

And said Bill, HB 54, as thus amended by the Report of the Committee on Conference was again read and passed.

And said Bill, HB 54, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

GREG PAPPAS,  
Clerk.

### HOUSE AND CONFERENCE MESSAGE

On motion of Senator Dial, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, HB 54, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,



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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**REPORT FROM RULES**

Senator Lindsey, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Tim M. Townes to the Alabama Sickle Cell Oversight and Regulatory Commission

On motion of Senator Mitchem, the appointment of Dr. Townes was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 563.** Providing for state officials to process passports and for disposition of fees.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 515.** To amend Section 16-13-140, Code of Alabama 1975, relating to budgeting for local boards of education; to require public hearings on proposed annual budgets.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 396.** Relating to policies of certain school boards; to require each local school board to establish a written reduction-in-force policy.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 129.** To make an appropriation of \$129,081 from the Education Trust Fund to the Alabama League for the Advancement of Education for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 93.** To make an appropriation of \$4,132,933 from the Education Trust Fund for the support and maintenance of Tuskegee University for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

Also:

**HB 195.** To make an appropriation of \$350,000 from the Education Trust Fund to the Birmingham Children's Theatre for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 317.** To amend Sections 9-17-105, 9-17-106, and 9-17-110, relating to the Liquefied Petroleum Gas Board to further provide for the permits issued by the board; and for the use of the Liquefied Petroleum Gas Research and Education Fund.

Also:

**HB 126.** To make an appropriation of \$100,000 from the Education Trust Fund to Educational Resources, Inc. for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 124.** To make an appropriation of \$70,000 from the Education Trust Fund to the Exploreum Museum of Discovery for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 613.** To make an appropriation of \$120,000 from the Education Trust Fund to the Children's Hands-on Museum for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 94.** To make an appropriation of \$295,305 from the Education Trust Fund and \$52,500 from the State General Fund to the AIDS Task Force of Alabama, Incorporated, for the fiscal year ending September 30, 1998, for educational programs and services to help prevent the spread of AIDS and to require an operations plan and an audited financial statement.

Also:

**HB 95.** To make an appropriation of \$47,000 from the Education Trust Fund to the Black Belt Human Resource Development Center and \$60,000 to the Twenty First Century Youth Leadership Training Project for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 401.** To make an appropriation of \$682,793 from the Education Trust Fund to the Children's and Women's Hospital in Mobile, Alabama, for the fiscal year ending September 30, 1998 and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

**SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 919.** To provide for a retirement system for police and

firefighters of the City of Mobile, Alabama; providing for membership and service requirements, eligibility, amount, and payment of benefits; providing for employer and employee contributions to the system; providing for administration and management of the system under a board of trustees; providing for certain limitations on benefits to certain employees; providing for appeals from decisions made by the board; and repealing Act 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), Act 400, H. 564, 1965 Regular Session (Acts 1965, p. 576), Act 359, H. 366, 1966 Special Session (Acts 1966, p. 499), Act 180, H. 167, 1967 Regular Session (Acts 1967, p. 231), Act 1484, S. 1030, 1971 Regular Session (Acts 1971, p. 2540), Act 887, S. 740, 1978 Regular Session (Acts 1978, p. 1315), Act 80-339, H. 875, 1980 Regular Session (Acts 1980, p. 458), Act 85-231, H. 211, 1985 Regular Session (Acts 1985, p. 130), Act 85-312, H. 176, 1985 Regular Session (Acts 1985, p. 211), Act 85-938, H. 129, 1985 Special Session (Acts 1985, p. 241), Act 86-475, H. 478, 1986 Regular Session (Acts 1986, p. 900), Act 90-198, S. 566, 1990 Regular Session (Acts 1990, p. 229), Act 91-701, H. 980, 1991 Regular Session (Acts 1991, p. 1365), and Act 95-571, H. 598, 1995 Regular Session (Acts 1995, p. 1194).

Also:

**HB 922.** Relating to the City of Tuscaloosa; providing for a referendum election on the question of the election of the city board of education by the qualified electors of the city; upon approval at the referendum election, providing for the election and operation of the board of education for the City of Tuscaloosa; providing that certain members of the board shall be elected from defined districts; providing for the election of the chair from the city at-large; providing for the operation of the board; providing for the terms of office, qualifications, and compensation of the members; prescribing procedures for electing the members and for filling vacancies on the board; providing certain transitional provisions; and providing for a conditional effective date.

Also:

**HB 117.** To make an appropriation of \$192,600 from the State General Fund to the Alabama Council on Child Abuse, Inc. for the fiscal year ending September 30, 1998, and requires an operations plan and an audited financial statement prior to release of any funds.

Also:

**HB 9.** Relating to child mortality; concerning efforts to identify deaths which may be from child abuse or neglect or other causes; relating to obtaining and maintaining statistics on child mortality within the

state; providing services to surviving family members; developing and implementing measures to aid in reducing the risk and incidence of future child injury and death; establishing the State Child Death Review Team and local teams; establishing policies and procedures as are necessary for the operation of the State Child Death Review Team and the local teams; and making an appropriation from the State General Fund to the Alabama Department of Public Health in the amount of \$250,000 for the fiscal year ending September 30, 1997 and \$250,000 for the fiscal year ending September 30, 1998 to be used for the implementation of the provisions of this bill.

Also:

**HB 389.** To prohibit employers, employment agencies, labor unions, and associations from discriminating on the basis of age in hiring, job retention, compensation, and other terms and conditions of employment; and to provide for recovery of amounts owed for violations.

Also:

**HB 1043.** Relating to Mobile County; to amend Section 1 of Act 91-370, 1991 Regular Session as amended, relating to annual supplemental salary of the license commissioner, to alter the monetary amount.

Also:

**HB 1094.** Relating to Mobile County; to provide that on and after the effective date of this act, the Treasurer of Mobile County shall be entitled to an automobile expense allowance as reimbursement for the official use of a personal vehicle and the fuel, oil, and repairs of the vehicle in conducting official duties.

Also:

**HB 89.** To allow an active and contributing member of the Employees' Retirement System to purchase up to a certain amount of prior service credit in the system for service rendered as an employee of a welcome center.

Also:

**HB 923.** Relating to Russell County; to amend Section 1 of Act 95-573, H. 507 of the 1995 Regular Session, creating the Russell County Planning Commission; to provide further for the manner of appointment of members of the planning commission.

Also:

**HB 1011.** Relating to Mobile County; repealing Act 476, H. 1434, 1915 Regular Session, which prohibits persons from hauling timber or logs on a two wheel vehicle over the highways of the county.

Also:

**HB 1035.** Relating to the Twenty-Eighth Judicial Circuit of Alabama and the establishment of a Pre-Trial Intervention Program by the District Attorney.

Also:

**HB 1106.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Eclectic in Elmore County; and to further provide for the police jurisdiction of the municipality.

Also:

**HB 1062.** Relating to Coosa County; amending Act 81-297, H. 649, 1981 Regular Session, relating to pistol permit fees, to increase the pistol permit fee the sheriff is required to charge, and providing for the distribution of the fees.

Also:

**HB 1063.** Relating to Coosa County; authorizing the sheriff to operate a jail store and a telephone system for prisoners in county custody; providing for the deposit, distribution, and auditing of monies earned; and confirming and ratifying certain prior actions.

Also:

**HB 1064.** Relating to Coosa County; authorizing the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; providing for an auction and for the disposition of proceeds.

Also:

**HB 1070.** Relating to Perry County; to authorize the Perry County Commission to establish a Junior Perry County Commission; and to authorize certain scholarships for the members of the Junior Perry County Commission.

Also:

**HB 1077.** To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Auburn in Lee County.

Also:

**HB 1090.** Relating to Baldwin County; providing for additional court costs to be imposed on each person incarcerated in the Baldwin County jail; and providing for distribution of the revenues to be derived from the additional court costs.

Also:

**HB 269.** To amend Sections 12-15-1.1, 12-15-32, and 12-15-71 of the Code of Alabama 1975, to further provide for the jurisdiction of the juvenile courts under certain conditions; to further provide for a child to pay restitution for offenses under the jurisdiction of the juvenile court; and to provide that restitution against the parent, guardian, or child shall be governed by the same principles applicable to other offenders.

Also:

**HB 995.** Relating to Mobile County; to provide additional compensation for the members of the Mobile County Board of School Commissioners.

Also:

**HB 1096.** Relating to Mobile County; to amend Section V of Act 470, H. 952, 1939 Regular Session (Local Acts 1939, p. 298), as further amended by Act 167, H. 231, 1955 Regular Session (Local Acts 1955, p. 431); Act 684, H. 594, 1976 Regular Session (Acts 1976, p. 939); and Act 86-479, H. 629, 1986 Regular Session (Acts 1986, p. 910), relating to the establishment of a countywide civil service system; to add the Treasurer of Mobile County to the Supervisory Committee of the Mobile County Personnel Board; and to require confirmation by a majority vote of the Mobile County legislative delegation.

Also:

**HB 566.** To amend Sections 34-37-4 and 34-37-6, Code of Alabama 1975, relating to the Plumbers and Gas Fitters Examining Board, to provide for an increase in compensation for the members of the board; to clarify that an applicant for master gas fitter examination shall be a jour-



neyman gas fitter; and to eliminate the provision for certification without examination.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **REPORT FROM RULES**

Senator Lindsey, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Promotion of Colonel Dalton Diamond to the rank of Brigadier General

On motion of Senator Mitchem, the promotion of Colonel Diamond was confirmed by the Senate.

Yeas 31 Nays 0

Yeas:

Senators:

Amari, Bailey, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Steele, Waggoner, and Windom -31

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Promotion of Colonel John Scales to the rank of Brigadier General

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On motion of Senator Mitchem, the promotion of Colonel Scales was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Denson Franklin to the Alabama Department of Rehabilitation Services Board

On motion of Senator Mitchem, the appointment of Mr. Franklin was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Sam Yeager to the Alabama State Docks Advisory Board

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On motion of Senator Mitchem, the appointment of Mr. Yeager was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Rick Manley to the Alabama State Docks Advisory Board

On motion of Senator Mitchem, the appointment of Mr. Manley was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of John S. Parker to the Math Courses of Study Committee

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On motion of Senator Mitchem, the appointment of Mr. Parker was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of John Hill to the Math Courses of Study Committee

On motion of Senator Mitchem, the appointment of Mr. Hill was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Larry Minton to the Math Courses of Study Committee

On motion of Senator Mitchem, the appointment of Mr. Minton was confirmed by the Senate.

Yeas 35 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Shad Williams to the Math Courses of Study Committee

On motion of Senator Mitchem, the appointment of Mr. Williams was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Everett Wess to the Math Courses of Study Committee

On motion of Senator Mitchem, the appointment of Mr. Wess was confirmed by the Senate.

Yeas 35 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Jerold Wayne McCoy to the Surface Mining Commission

On motion of Senator Mitchem, the appointment of Mr. McCoy was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Pam Joiner Doyle to the Math Courses of Study Committee

On motion of Senator Mitchem, the appointment of Ms. Doyle was confirmed by the Senate.

Yeas 35 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Edward Scott to the Surface Mining Commission

On motion of Senator Mitchem, the appointment of Mr. Scott was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Gilbert L. Sentell to the Surface Mining Commission

On motion of Senator Mitchem, the appointment of Mr. Sentell was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Edward E. Loper to the Surface Mining Commission

On motion of Senator Mitchem, the appointment of Mr. Loper was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Naomi Haines Griffith to the State Board of Human Resources

On motion of Senator Mitchem, the appointment of Ms. Griffith was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,



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Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Eunie Smith to the State Board of Human Resources

On motion of Senator Mitchem, the appointment of Ms. Smith was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Lynda Hart to the State Board of Human Resources

On motion of Senator Mitchem, the appointment of Ms. Hart was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

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Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Alan Symons to the Alabama Environmental Management Commission

On motion of Senator Mitchem, the appointment of Mr. Symons was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Margaret Brown to the Textbook Committee

On motion of Senator Mitchem, the appointment of Ms. Brown was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following

Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Hank Nelson to the Textbook Committee

On motion of Senator Mitchem, the appointment of Mr. Nelson was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Ellie Ficken to the Textbook Committee

On motion of Senator Mitchem, the appointment of Ms. Ficken was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Hazel Bass Germany to the Textbook Committee

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On motion of Senator Mitchem, the appointment of Ms. Germany was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Ernest H. McConnell to the Textbook Committee

On motion of Senator Mitchem, the appointment of Mr. McConnell was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Donald Owens to the Textbook Committee

On motion of Senator Mitchem, the appointment of Mr. Owens was confirmed by the Senate.

Yeas 35 Nays 0

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Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Lindsey, Chairperson of the Standing Committee on Rules, then reported that said committee, in session, had acted on the following Governor's Appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Ronald Parker to the Real Estate Appraisers Board

On motion of Senator Mitchem, the appointment of Mr. Parker was confirmed by the Senate.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

Senator Adams requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 222.** To amend Section 16-9-8, Code of Alabama 1975, to provide that elected county superintendents of education take office on January 1 following election.

And said Bill, HB 222, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,

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Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Dixon requested and received permisison to suspend the Rules in order to bring up the Bill:

**HB 852.** Relating to the Board of Dental Examiners; to amend Sections 34-9-15, 34-9-19, and 34-9-28, Code of Alabama 1975, so as to increase the penalty fee for the reinstatement of a license to practice dentistry after the automatic suspension of the license; to clarify advertising requirements; to increase the penalty fee for reinstatement of a license to practice as a dental hygienist after the automatic suspension of the license; to regulate services and advertisements relating to dental referral services; and to provide certain administrative disciplinary actions for violations.

And said Bill, HB 852, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Hill requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 519.** To amend Section 32-6-64, Code of Alabama 1975, to provide a generic distinctive license plate for passenger cars; to provide a process for approving new distinctive license plate categories without normal legislative bill enactment procedures; to provide minimum subscription requirements; to restrict use of distinctive license plates to passenger cars, pick-up trucks, and certain recreational vehicles only; to establish minimum quantity requirements for generic and distinctive plates; to amend Section 32-6-67 of the Code of Alabama 1975, to establish the functions of the legislative oversight committee; to add Section 32-6-68 to the Code of Alabama 1975 to provide an additional fee and a standard revenue distribu-

tion formula; and to provide for an effective date.

Senator Dial offered the following amendment to the Bill, HB 519, to-wit:

**AMENDMENT TO HB 519**

Amend HB 519 on Page 3, Lines 1 and 2 by deleting the words “and shall not be” and insert in lieu thereof the word “or”

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 519, as thus amended, was read a third time at length and passed.

Yeas 28 Nays 0

Yeas:

Senators:

Armistead, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Little, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-28

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

Senator Davidson requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 245.** Relating to insurance, to provide for an effective and efficient system whereby the Commissioner of Insurance may contract with any Alabama institution of higher education for the administration of the examinations of life and disability insurance agents and brokers, and to

allow the examination fees for the services to be paid directly to the testing institution in lieu of, but not in excess of, the fees set forth in Section 27-4-2, Code of Alabama 1975, by amending Section 27-8-7, Code of Alabama 1975.

Senator Davidson offered the following substitute for the Bill, HB 245, to-wit:

**SUBSTITUTE FOR HB 245**

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to insurance, to provide for an effective and efficient system whereby the Commissioner of Insurance may contract with any Alabama institution of higher education for the administration of the examinations of life and disability insurance agents and brokers; to allow the examination fees for the services to be paid directly to the testing institution in lieu of, but not in excess of, the fees set forth in Section 27-4-2, Code of Alabama 1975; to allow the commissioner to contract with any third parties that may be necessary to assist the commissioner in responding to authorized requests made by life, accident, and health insurance agents or brokers to the department for approval of any rates for such policies; to require the insurers to pay such reasonable costs and expenses as may be incurred by the commissioner, or charged by the third party, to the commissioner, or to the third party, as appropriate; and to grant to the commissioner certain rule-making authority associated with rate approvals, by amending Section 27-8-7, Code of Alabama 1975, and by adding Section 27-8-29 to Title 27, Chapter 8, Code of Alabama 1975.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Section 27-8-7, Code of Alabama 1975, is amended to read as follows:

“§27-8-7.

“(a) The commission shall establish rules and regulations with respect to:

“(1) The classification of applicants according to the type of insurance to be effected by them;

“(2) The scope, type and conduct of written examinations; and



“(3) The times and places within the state for the holding of such examinations. An applicant shall be permitted to take an examination once in each two weeks in the principal office of the commissioner, and an examination shall be held at least as often as once in each three months in each congressional district.

“(b) ~~Such~~ The rules and regulations shall classify applicant for purposes of this section as follows:

“(1) Those desiring to write life insurance;

“(2) Those desiring to write disability insurance;

“(3) Those desiring to write any combination of the above classifications; and

“(4) ~~Such~~ Any other classifications as, in the opinion of the commissioner, are necessary or appropriate.

“(c) Examination shall be prepared and given in those subjects only which pertain to the classification, or classifications, which apply to the applicant, and no applicant shall be required to take an examination on a subject, or subjects, pertaining to any other classification. Prior to the examination, the commissioner shall value each question to be asked therein, and the sum of ~~such~~ the values shall total 100. Each of the answers given shall correspondingly be valued proportionately to its correctness, and the sum of ~~such~~ the values totaling 70 shall constitute a passing grade. An applicant shall have the right to be examined as to all of ~~such~~ the classifications in the same examination and shall be required to pay but one examination application filing fee therefor.

“(d) The commissioner ~~shall not~~ may contract with any ~~qualified educational testing institutions~~ Alabama institution of higher education for preparation, analysis administration of the examination, including, but not limited to, the preparation, analysis, or and grading of the written portions of the examination. If the commissioner contracts with a testing institution, fees approved by the commissioner for the services may, at the commissioner's discretion, be paid directly to the testing institution and the fee shall be in lieu of, but not in excess of, the fees for the examination required under Section 27-8-6, as specified in Section 27-4-2.”

Section 2. The following new Section 27-8-29 is added to Chapter 8, Title 27, Code of Alabama 1975, to read as follows:

§27-8-29.

(a) A resident agent may, with the written consent of an authorized insurer as to which he or she is then a licensed agent, request a special review by the commissioner of any filed rates for life, accident, and health insurance policies of that insurer. In making the requested review of rates, with the consent of the insurer whose rates are being reviewed, the commissioner may contract with any Alabama institution of higher education or qualified actuaries to perform such review, and the reasonable costs of such review may be charged to the insurer consenting to the review. If the commissioner finds that the rates are not unreasonably high or excessive, are adequate for the safeness and soundness of the insurer, and are not unfairly discriminatory between risks in this state involving essentially the same risks, the commissioner may approve such rates.

(b) The commissioner may prescribe rules and regulations specifying what advertising or marketing use may be made by representatives or insurers with respect to any such rate approvals obtained on the representative's request.

(c) Nothing contained herein shall be deemed to alter the existing law with respect to whether and under what circumstances insurers are required to seek or obtain approval of rates.

Section 3. Nothing contained herein shall be construed to create or imply private rights of action.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 245, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### BILLS ON THIRD READING RESUMED

Senator Biddle requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 792.** To provide for a voluntary check-off designation on state income tax returns for the Alliance for the Mentally Ill of Alabama (AMI) and for the Mental Health Consumers of Alabama (MHCA).

And said Bill, HB 792, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 291.** Amending Sections 28-3-1, 28-3-168, 28-6-1, and 28-7-2 of the Code of Alabama 1975, so as to alter the percentage of alcohol by volume in the definitions of table wine, fortified wine or vinous liquor, and native farm wine.

Senator Windom offered the following substitute for the Bill, HB 291, to-wit:

**SUBSTITUTE FOR HB 291**

**A BILL  
TO BE ENTITLED  
AN ACT**

Amending Sections 28-3-1, 28-3-168, 28-3A-25, 28-6-1, and 28-7-2 of the Code of Alabama 1975, so as to alter the percentage of alcohol by volume in the definitions of table wine, fortified wine or vinous liquor, and native farm wine, and to provide an additional exception to the prohibitions against buying, giving away, selling, serving, or consuming alcoholic beverages during certain hours.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. Sections 28-3-1, 28-3-168, 28-3A-25, 28-6-1, and 28-7-2 of the Code of Alabama 1975, are amended to read as follows:

“§28-3-1.

“The following words or phrases, whenever they appear in this chapter, and in Alcoholic Beverage Licensing Code, being Act No. 80-529, Acts of Alabama, 1980, as amended, appearing as chapter 3A, Title 28, as amended, and the Alabama Table Wine Act, being Act 80-382, Acts of Alabama 1980, as amended, appearing as chapter 7, Title 28, as amended, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this section:

“(1) **ALCOHOLIC BEVERAGES.** Any alcoholic, spirituous, vinous, fermented or other alcoholic beverage, or combination of liquors and mixed liquor, a part of which is spirituous, vinous, fermented or otherwise alcoholic, and all drinks or drinkable liquids, preparations or mixtures intended for beverage purposes, which contain one-half of one percent or more of alcohol by volume, and shall include liquor, beer, and wine, both fortified and table wine.

“(2) **ASSOCIATION.** A partnership, limited partnership, or any form of unincorporated enterprise owned by two or more persons.

“(3) **BEER, or MALT or BREWED BEVERAGES.** Any beer, lager beer, ale, porter, malt or brewed beverage or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume and

not in excess of four percent alcohol by weight and five percent by volume, by whatever name the same may be called.

“(4) BOARD. The alcoholic beverage control board.

“(5) CARTON. The package or container or containers in which alcoholic beverages are originally packaged for shipment to market by the manufacturer or its designated representatives or the importer.

“(6) CONTAINER. The single bottle, can, keg, bag or other receptacle, not a carton, in which alcoholic beverages are originally packaged for the market by the manufacturer or importer and from which the alcoholic beverage is consumed by or dispensed to the public.

“(7) CLUB.

“a. Class I. A corporation or association organized or formed in good faith by authority of law and which must have at least 150 paid-up members. It must be the owner, lessee or occupant of an establishment operated solely for the objects of a national, social, patriotic, political or athletic nature or the like, but not for pecuniary gain, and the property as well as the advantages of which, belong to all the members and which maintains an establishment provided with special space and accommodations where, in consideration of payment, food with or without lodging is habitually served. The club shall hold regular meetings, continue its business through officers regularly elected, admit members by written application, investigation and ballot and charge and collect dues from elected members.

“b. Class II. A corporation or association organized or formed in good faith by authority of law and which must have at least 100 paid-up members. It must be the owner, lessee or occupant of an establishment operated solely for the objects of a national, social, patriotic, political or athletic nature or the like. The club shall hold regular meetings, continue its business through officers regularly elected, admit members by written application, investigation and ballot and charge and collect dues from elected members.

“(8) CORPORATION. A corporation or joint stock association organized under the laws of this state, the United States, or any other state, territory or foreign country, or dependency.

“(9) DRY COUNTY. Any county which by a majority of those voting voted in the negative in an election heretofore held under the applicable statutes at the time of said election or may hereafter vote in the negative in an election or special method referendum hereafter held in accor-

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dance with the provisions of chapter 2, Title 28, or held in accordance with the provisions of any act hereafter enacted permitting such election.

“(10) DRY MUNICIPALITY. Any municipality within a wet county which has, by its governing body or by a majority of those voting in a municipal election heretofore held in accordance with the provisions of section 28-2-22, or in a municipal option election heretofore or hereafter held in accordance with the provisions of Act 84-408, Acts of Alabama 1984, appearing as chapter 2A, Title 28, Code of Alabama 1975, as amended, or any act hereafter enacted permitting municipal option election, voted to exclude the sale of alcoholic beverages within the corporate limits of said municipality.

“(11) GENERAL WELFARE PURPOSES.

“a. The administration of public assistance as set out in sections 38-2-5 and 38-4-1;

“b. Services, including supplementation and supplementary services under the federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said sections 38-2-5 and 38-4-1;

“c. Service to and on behalf of dependent, neglected or delinquent children; and

“d. Investigative and referral services to and on behalf of needy persons.

“(12) HEARING COMMISSION. A body appointed by the board to hear and decide all contested license applications and all disciplinary charges against any licensee for violation of this title or the regulations of the board.

“(13) HOTEL. A building or buildings held out to the public for housing accommodations of travelers or transients, and shall include motel, but shall not include a rooming house or boarding house.

“(14) IMPORTER. Any person, association or corporation engaged in importing alcoholic beverages, liquor, wine or beer, manufactured outside of the United States of America into this state or for sale or distribution in this state, or to the board or to a licensee of the board.

“(15) LIQUOR. Any alcoholic, spirituous, vinous, fermented, or other alcoholic beverage, or combination of liquors and mixed liquor, a part of which is spirituous, fermented, vinous or otherwise alcoholic, and all

drinks or drinkable liquids, preparations or mixtures intended for beverage purposes, which contain one-half of one percent or more of alcohol by volume, except beer and table wine.

“(16) LIQUOR STORE. A liquor store operated by the board, where alcoholic beverages other than beer are authorized to be sold in unopened containers.

“(17) MANUFACTURER. Any person, association or corporation engaged in the producing, bottling, manufacturing, distilling, rectifying or compounding of alcoholic beverages, liquor, beer or wine in this state or for sale or distribution in this state or to the board or to a licensee of the board.

“(18) MINOR. Any person under 21 years of age, except a person 19 years of age or older prior to October 1, 1985, is not a minor; provided, however, in the event section 28-1-5, shall be repealed or otherwise shall be no longer in effect, thereafter the provisions of section 26-1-1, shall govern.

“(19) MUNICIPALITY. Any incorporated city or town of this state to include its police jurisdiction.

“(20) PERSON. Every natural person, association or corporation. Whenever used in a clause prescribing or imposing a fine or imprisonment, or both, such term as applied to “association” shall mean the partners or members thereof and as applied to “corporation” shall mean the officers thereof, except as to incorporated clubs the term “person” shall mean such individual or individuals who, under the bylaws of such clubs, shall have jurisdiction over the possession and sale of liquor therein.

“(21) POPULATION. The population according to the last preceding or any subsequent decennial census of the United States, except where a municipality is incorporated subsequent to the last census, in which event, its population until the next decennial census shall be the population of said municipality as determined by the judge of probate of said county as the official population on the date of its incorporation.

“(22) RESTAURANT. A reputable place licensed as a restaurant, operated by a responsible person of good reputation and habitually and principally used for the purpose of preparing and serving meals for the public to consume on the premises.

“(23) MEAL. A diversified selection of food some of which is not susceptible of being consumed in the absence of at least some articles of tableware and which cannot be conveniently consumed while one is standing or walking about.

“(24) RETAILER. Any person licensed by the board to engage in the retail sale of any alcoholic beverages to the consumer.

“(25) SALE or SELL. Any transfer of liquor, wine or beer for a consideration, and any gift in connection with, or as a part of, a transfer of property other than liquor, wine or beer for a consideration.

“(26) SELLING PRICE. The total marked-up price of spirituous or vinous liquors sold by the board, exclusive of taxes levied thereon.

“(27) UNOPENED CONTAINER. A container containing alcoholic beverages, which has not been opened or unsealed subsequent to filling and sealing by the manufacturer or importer.

“(28) WET COUNTY. Any county which by a majority of those voting voted in the affirmative in an election heretofore held in accordance with the statutes applicable at the time of said election or may hereafter vote in the affirmative in an election or special method referendum held in accordance with the provisions of chapter 2, of Title 28, or other statutes applicable at the time of said election.

“(29) WET MUNICIPALITY. Any municipality in a dry county which by a majority of those voting voted in the affirmative in a municipal option election heretofore or hereafter held in accordance with the provisions of Act 84-408, Acts of Alabama 1984, appearing as chapter 2A, Title 28, as amended, or any act hereafter enacted permitting municipal option election, or any municipality which became wet by vote of the governing body or by the voters of the municipality heretofore or hereafter held under the special method referendum provisions of section 28-2-22, or as hereafter provided, where the county has become dry subsequent to the elected wet status of the municipality.

“(30) WHOLESALER. Any person licensed by the board to engage in the sale and distribution of table wine and beer, or either of them, within this state, at wholesale only, to be sold by export or to retail licensees or other wholesale licensees or others within this state lawfully authorized to sell table wine and beer, or either of them, for the purpose of resale only.

“(31) WINE. All beverages made from the fermentation of fruits, berries, or grapes, with or without added spirits, and produced in accordance with the laws and regulations of the United States, containing not more than 24 percent alcohol by volume, and shall include all sparkling wines, carbonated wines, special natural wines, rectified wines, vermouths, vinous beverages, vinous liquors, and like products, including restored or unrestored pure condensed juice.



“(32) FORTIFIED WINE or VINOUS LIQUOR. Any wine containing more than 44 14.9 percent alcohol by volume but not more than 24 percent. Fortified wine is vinous liquor.

“(33) TABLE WINE. Any wine containing not more than 44 14.9 percent alcohol by volume. Table wine is not liquor, spirituous or vinous.

“(34) BRANDY. All beverages which are an alcoholic distillate from the fermented juice, mash, or wine of fruit, or from the residue thereof, produced in such manner that the distillate possesses the taste, aroma, and characteristics generally attributed to the beverage, as bottled at not less than 80 degree proof.

“§28-3-168.

“(a) For the purposes of this section, the following words and phrases shall have the following meanings:

“(1) MANUFACTURER. Any person, association or corporation engaged in the producing, bottling, manufacturing, distilling, rectifying or compounding of liquor, alcohol, malt and brewed beverages or vinous beverages.

“(2) WINE WHOLESALER, DISTRIBUTOR or JOBBER. Any person, association or corporation licensed by the board to engage in the sale and distribution of table wine within counties in which this chapter applies, at wholesale only, to be sold for export or to licensees within this state authorized by their licenses to sell wine.

“(3) WINE RETAILER. Persons, corporations or associations licensed by the board to engage in the retail sale of table wine to be consumed off the premises and who do not possess a state liquor license.

“(4) TABLE WINE. Any wine containing not more than 44 14.9 percent alcohol by volume.

“(b) In all counties having a population of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent federal decennial census, table wines may be sold at retail by any licensed wine retailer for off-premises consumption only. A wine wholesaler may sell to a wine retailer table wines that have been purchased from a licensed manufacturer.

“(c) In all counties having a population of not less than 500,000 according to the 1970 or any subsequent federal decennial census, table

wines may be sold at retail by any licensed wine retailer for off-premises consumption only. A wine wholesaler may sell to a wine retailer table wines that have been purchased from a licensed manufacturer.

“(d) In all counties having a population of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent federal decennial census, table wines may be sold at retail by any licensed wine retailer for off-premises consumption only. A wine wholesaler may sell to a wine retailer table wines that have been purchased from a licensed manufacturer.

“§28-3A-25.

“(a) It shall be unlawful:

“(1) For any manufacturer, importer, or wholesaler, or the servants, agents, or employees of the same, to sell, trade, or barter in alcoholic beverages between the hours of nine o’clock P.M. of any Saturday and two o’clock A.M. of the following Monday.

“(2) For any wholesaler or the servants, agents, or employees of the wholesaler to sell alcoholic beverages, to other than wholesale or retail licensees or others within this state lawfully authorized to sell alcoholic beverages, or to sell for export.

“(3) For any person, licensee, or the board either directly or by the servants, agents, or employees of the same, or for any servant, agent, or employee of the same, to sell, deliver, furnish, or give away alcoholic beverages to any person under the legal drinking age, as defined in Section 28-1-5, or to permit any person under the legal drinking age, as defined in Section 28-1-5, to drink, consume, or possess any alcoholic beverages on any licensee’s premises.

“(4) For any person to consume alcoholic beverages on the premises of any state liquor store or any off-premises licensee, or to allow alcoholic beverages to be consumed on the premises of any state liquor store or any off-premises licensee.

“(5) For any licensee to fail to keep for a period of at least three years, complete and truthful records covering the operation of his or her license and particularly showing the date of all purchases of alcoholic beverages, the actual price paid therefor, and the name of the vendor, or to refuse the board or any authorized employee of the board access to the records or the opportunity to make copies of the records when the request is made during business hours.

“(6) For any licensee or the servants, agents, or employees of the same to refuse the board, any of its authorized employees, or any duly commissioned law enforcement officer the right to completely inspect the entire licensed premises at any time the premises are open for business.

“(7) For any licensee or the servants, agents, or employees of the same to be directly or indirectly employed by any other licensee engaged in the manufacture, storage, transportation, or sale of alcoholic beverages.

“(8) For any person to knowingly sell any alcoholic beverages to any person engaged in the business of illegally selling alcoholic beverages.

“(9) For any person to manufacture, transport, or import alcoholic beverages into this state, except in accordance with the reasonable rules and regulations of the board. This subdivision shall not prohibit the transportation of alcoholic beverages through the state or any dry county so long as the beverages are not for delivery therein, if the transportation is done in accordance with the reasonable rules and regulations of the board.

“(10) For any person to fortify, adulterate, contaminate, or in any manner change the character or purity of alcoholic beverages from that as originally marketed by the manufacturer, except that a retail licensee on order from a customer may mix a chaser or other ingredients necessary to prepare a cocktail or mixed drink for on-premises consumption.

“(11) For any person licensed to sell alcoholic beverages to offer to give any thing of value as a premium for the return of caps, stoppers, corks, stamps, or labels taken from any bottle, case, barrel, or package containing the alcoholic beverages, or to offer to give any thing of value as a premium or present to induce the purchase of the alcoholic beverages, or for any other purpose whatsoever in connection with the sale of the alcoholic beverages. This subdivision shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners of the containers.

“(12) For any licensee or transporter for hire, servant, agent, or employee of the same, to transport any alcoholic beverages except in the original container, and for any transporter for hire to transport any alcoholic beverages within the state, unless the transporter holds a permit issued by the board.

“(13) For any manufacturer, importer, or wholesaler, servant, agent, or employee of the same, to deliver any alcoholic beverages, except in vehicles bearing the name, address, and permit number of the manufacturer, importer, or wholesaler painted or affixed on each side of the vehicle in letters no smaller than four inches in height.

“(14) For any person to sell alcoholic beverages within any dry county or county where the electors have voted against the sales, except in wet municipalities or as authorized by Section 28-3A-18.

“(15) For any person, firm, corporation, partnership, or association of persons as the terms are defined in Section 28-3-1, including any civic center authority, racing commission, fair authority, airport authority, public or quasi-public board, agency, or commission, any agent thereof, or otherwise, who or which has not been properly licensed under the appropriate provisions of this chapter to sell, offer for sale, or have in possession for sale, any alcoholic beverages. Any alcoholic beverages so possessed, maintained, or kept shall be contraband and subject to condemnation and confiscation as provided by law.

“(16) For any manufacturer, distiller, producer, importer, or distributor of alcoholic beverages to employ and maintain any person, who is not a full-time bona fide employee, as a resident sales agent, broker, or other like representative, for the purpose of promoting a sale, purchase, or acquisition of alcoholic beverages to or by the state or the board, or for any person who is not a full-time bona fide employee to act as an agent, broker, or representative of any manufacturer, distributor, producer, importer, or distiller for that purpose.

“(17) For any person to sell, give away, or otherwise dispose of taxable alcoholic beverages within this state on which the required taxes have not been paid as required by law.

“(18) For any wholesaler or retailer, or the servant, agent, or employee of the same, to sell, distribute, deliver, or to receive or store for sale or distribution within this state any alcoholic beverages unless there first has been issued by the board a manufacturer's license to the manufacturer of the alcoholic beverages or its designated representative or an importer license to the importer of the alcoholic beverages.

“(19) For any person under the legal drinking age, as defined in Section 28-1-5, to attempt to purchase, to purchase, consume, possess, or to transport any alcoholic beverages within the state; provided, however, it shall not be unlawful for a person under the legal drinking age, as defined in Section 28-1-5, to be an employee of a wholesale licensee or an off-premises retail licensee of the board to handle, transport, or sell any beer or table wine if the person under the legal drinking age is acting within the line and scope of his or her employment while so acting. There must be an adult licensee, servant, agent, or employee of the same present at all times a licensed establishment is open for business.

“(20) For any person, except where authorized by a local act or general act of local application or in a county on the Gulf of Mexico, to buy, give away, sell, or serve for consumption on or off the premises, or to drink or consume any alcoholic beverages in any cafe, lunchroom, restaurant, hotel dining room, or other public place on Sunday after the hour of two o’clock A.M.

“(21) Except where authorized by a local act or general act of local application, for the proprietor, keeper or operator of any cafe, lunchroom, restaurant, hotel dining room, or other public place to knowingly permit any person to give away, sell, or serve for consumption on or off the premises, or to drink or consume any alcoholic beverages on the premises of the cafe, lunchroom, restaurant, hotel dining room, or other public place on Sunday after the hour of two o’clock A.M.

“(22) For a person under the age of 21 years to knowingly use or attempt to use a false, forged, deceptive, or otherwise nongenuine driver’s license to obtain or attempt to obtain alcoholic beverages within this state.

“(b)(1) Any violation of subdivisions (1) through (18) of subsection (a) of this section shall be a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), to which, at the discretion of the court or judge trying the case, may be added imprisonment in the county jail or at hard labor for the county for not more than six months for the first conviction; and, on the second conviction of a violation of the subdivisions, the offense shall, in addition to the aforementioned fine, be punishable by imprisonment or at hard labor for the county for not less than three months nor more than six months to be imposed by the court or judge trying the case; and, on the third conviction and every subsequent conviction of a violation of the subdivisions, the offense shall, in addition to a fine within the limits abovenamed, be punishable by imprisonment or at hard labor for the county for not less than six months nor more than 12 months.

“(2) Any violation of any provision of subdivisions (19), (20), (21), and (22) of subsection (a) of this section shall be a misdemeanor punishable by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), to which, at the discretion of the court or judge trying the case, may be added imprisonment in the county jail or at hard labor for the county for not more than three months.

“In addition to the penalties otherwise provided for a violation of subdivisions (19) and (22) of subsection (a) of this section, upon conviction, including convictions in juvenile court or under the Youthful Offender Act, the offender’s license to operate a motor vehicle in this state shall be

surrendered by the offender to the judge adjudicating the case for a period of not less than three months nor more than six months. The judge shall forward a copy of the order suspending the license to the Department of Public Safety for enforcement purposes.

“§28-6-1.

“When used in this chapter, the following words and phrases shall have the following meanings, respectively, unless the context clearly indicates otherwise:

“(1) NATIVE FARM WINERY. A winery where the annual production does not exceed 100,000 gallons, and 75 percent or more of the berries, fruit, produce or honey used in the manufacture of such wine is grown and produced in Alabama by the native farm winery permit holder upon land owned or leased by the permit holder in the vicinity of his farm winery.

“(2) NATIVE FARM WINE. Any product having an alcohol content not to exceed ~~14~~ 14.9 percent by volume and made in accordance with the revenue laws of the United States, which is produced on a native farm winery.

“(3) PERSON. One or more natural persons, or a corporation, partnership or association.

“(4) BOARD. The Alabama alcoholic beverage control board.

“§28-7-2.

“The public interest lying in the promotion of temperance by and through the proper regulation of alcoholic beverages, through the instrumentality of the Alabama alcoholic beverage control board and otherwise, it is the intent of the legislature and declared to be the purpose and intent of this chapter to promote temperance and to further regulate the sale of alcoholic beverages in the state by distinguishing between fortified wine or vinous liquor having more than ~~14~~ 14.9 percent alcohol by volume and table wine having not more than ~~14~~ 14.9 percent alcohol by volume, which is hereby declared to be nonliquor and not vinous liquor, and specifically to authorize and regulate the sale and handling of table wine in Alabama by wine manufacturers, wholesalers and retailers licensed by the board.”

Section 2. This act shall become effective immediately upon its

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passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

And said Bill, HB 291, as thus amended, was read a third time at length and passed.

Yeas 18 Nays 9

Yeas:

Senators:

Bailey, Barron, Clay, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Langford, Lindsey, Myers, Sanders, Smitherman, Steele, Waggoner, and Windom  
-18

Nays:

Senators:

Adams, Amari, Bedford, Denton, Lipscomb, Little, Mitchell, Poole, and Smith  
- 9

Senator Windom moved that the Senate reconsider the vote by which the Bill, HB 291, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

**BILLS ON THIRD READING RESUMED**

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 336.** To exempt the Anniston Fellowship House, Inc., and the Wings of Life, Inc., and the Jacksonville Christian Outreach Center, Inc., from the payment of all state, county, and municipal sales and use taxes.

was read a third time at length and passed.

The Standing Committee on Fiscal Responsibility and Account-

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ability reported the following amendment to the Bill, HB 336, to-wit:

**AMENDMENT TO HB 336**

On page 1, line 21, after the language "Inc.," insert the following language:

"Wiregrass Children's Home, Inc., DoDa Parade, Lee County Humane Society, and Huntsville Emergency Medical Services, Inc.,"

On page 1, line 26, after the language "Inc.," insert the following language:

"Wiregrass Children's Home, Inc., DoDa Parade, Lee County Humane Society, and Huntsville Emergency Medical Services, Inc.,"

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 336, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

Senator Bedford requested and received permission to suspend the



Rules in order to bring up the Bill:

**HB 374.** Relating to Title 7 of the Code of Alabama 1975, the Uniform Commercial Code; to repeal the current Article 5 (commencing with Section 7-5-101) and replace it with a new Article 5 regarding letters of credit; and to provide for the following regarding letters of credit: A short title; definitions of terms; scope of Article 5; formal requirements for letter of credit documents; to state that consideration is not required for letter of credit documents; the issuance, amendment, cancellation, and duration of letters of credit; the obligations of a confirmer, nominated person, and adviser; issuer's rights and obligations; fraud and forgery as it relates to the beneficiary, issuer, or applicant; warranties; remedies for the beneficiary, successor, or nominated person for breaches of obligations of a letter of credit; transfer of a letter of credit; transfer by operation of law; assignment of proceeds of a letter of credit; statute of limitations to enforce a right or obligation under Article 5; choice of law and forum; subrogation of issuer, applicant, and nominated person; prospective applicability of the article; a savings clause for transactions of letters of credit occurring prior to the effective date of this act; and to amend the following sections of Title 7: Section 7-1-105 to provide for territorial application of Title 5 and the power of parties to choose applicable law; Section 7-2-512 to conform a reference to the new Article 5; Section 7-9-103 relating to perfection of security interests in multiple state transactions; Section 7-9-104 to exclude the application of Article 9 to a transfer of a letter of credit other than rights to proceeds; Section 7-9-105 to add references to definitions of "letter of credit" and "proceeds of a letter of credit" to Article 9; Section 7-9-106 to further define "account" and "general intangibles" to include rights to proceeds of letters of credit; Sections 7-9-304 and 7-9-305 to specify perfection of a security interest in proceeds of a letter of credit by filing and by taking possession; and to provide a prospective effective date of January 1, 1998.

And said Bill, HB 374, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

Senator Clay requested and received permission to suspend the Rules

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in order to bring up the Bill:

**HB 1046.** To amend Sections 9-16-2, 9-16-4, and 9-16-8, Code of Alabama 1975, relating to surface mining; to increase the amount of surety required to secure the obligation to reclaim areas affected by surface mining and to further provide for certain exemptions to the permit and surety requirements.

The Standing Committee on Commerce, Transportation, and Utilities reported the following amendment to the Bill, HB 1046, to-wit:

**AMENDMENT TO HB 1046**

On page 1, line 17, delete the following:

“9-16-2,”

On page 1, line 23, delete the following:

“9-16-2,”

On page 1, delete the language commencing at line 25, and ending on page 3, with line 23, inclusive, in its entirety.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

And said Bill, HB 1046, as thus amended, as read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**BILLS ON THIRD READING RESUMED**

Senator Dial requested and received permission to suspend the Rules  
in order to bring up the Bill:

**HB 912.** To provide for distinctive motor vehicle license plates  
for the 4-H Club Foundation; to provide for a fee; to provide for distribu-  
tion of the net proceeds from the sale of the plates; to provide for an appro-  
priation; and to provide for a delayed effective date.

And said Bill, HB 912, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Hale requested and received permission to suspend the Rules  
in order to bring up the Bill:

**HB 385.** To amend Section 22-21-29, Code of Alabama 1975,  
relating to the inspection of health care facilities, to prohibit advance dis-  
closure of the dates of inspection of health care facilities.

And said Bill, HB 385, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

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Senator Mitchell requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 707.** Providing for the Uniform Transfer On Death Security Registration Act; permitting owners of securities to register beneficiaries to whom the ownership of the security shall be transferred upon the death of the owner; providing certain ownership and registering requirements, applicable law, the effect of registering, protection for the registering entity, terms and conditions the registering entity may impose, and illustrations of registration forms.

And said Bill, HB 707, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Mitchem requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 603.** To provide for distinctive motor vehicle license plates for supporters of the Alabama Sports Festival, Inc.; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

And said Bill, HB 603, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Amari requested and received permission to suspend the

Rules in order to bring up the Bill:

**HB 188.** To amend Sections 41-16-27 and 41-16-57 of the Code of Alabama 1975, relating to competitive bids on certain contracts, to extend the time limit for which contracts for the purchase of personal property or contractual services may be awarded.

And said Bill, HB 188, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays: - 0

Senator Lipscomb requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 164.** To amend Sections 41-9-340, 41-9-342, 41-9-345, 41-9-347, 41-9-348, 41-9-349, 41-9-351, and 41-9-357, Code of Alabama 1975; to further provide the terms, powers, and duties of the USS Alabama Battleship Commission; to provide the meetings of the commission; to provide for employee benefits; and to provide for the battleship fund.

And said Bill, HB 164, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays: - 0

Senator Smith requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 562.** Relating to grandparent visitation; to provide further

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for the right of a grandparent to petition for visitation of grandchildren; and to repeal Section 30-3-4, Code of Alabama 1975.

Senator Smith then offered the following amendment to the Bill, HB 562, to-wit:

**AMENDMENT TO HB 562**

Amend HB 562 on Page 2 by deleting lines 20 and 21 in their entirety and by inserting in lieu thereof the following language,

“been an adoption.”

Further amend the Bill on Page 3 Line 1 by deleting the word “and” and by inserting in lieu thereof the word “or”

Further amend on line 4 by deleting the word “no” and by inserting in lieu thereof the word “a”

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

And said Bill, HB 562, as thus amended, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

**BILLS ON THIRD READING RESUMED**

Senator Roberts requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 155.** To amend Section 22-27-3, Code of Alabama 1975; relating to the authority of local governing bodies to establish mandatory programs of solid waste collection and provide for exceptions to certain persons and entities; to provide further for exceptions for persons or entities served by a mandatory solid waste collection program established by a county.

And said Bill, HB 155, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Freeman requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 636.** To exempt awards of severance pay or income from a supplemental income plan as a result of termination of employment from state, county, or municipal income tax.

And said Bill, HB 636, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Myers requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 1051.** Relating to the promotion of the production, marketing, use, and sale of ratites and ratite products; to provide a means by which members of the ratite industry may organize and by referendum levy upon themselves assessments for the purpose of financing promotional programs; to provide a means of collecting, disbursing, and expending any assessments; to provide for the promulgation of rules and procedures; and to prescribe penalties for violations of this act.

And said Bill, HB 1051, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

Senator Myers then requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 1052.** To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of the production, marketing, use, and sale of ratites and ratite products; to provide a means by which members of the ratite industry may organize and by referendum levy upon themselves assessments for the purpose of financing promotional programs; to provide a means of collecting, disbursing, and expending any assessments; to provide for the refund of assessments; and to provide for the promulgation of rules and procedures.

And said Bill, HB 1052, was read a third time at length as required by the Constitution and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,



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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Little requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 672.** To amend Section 7 of Act 96-572, 1996 Regular Session, now appearing as Section 36-27-132, Code of Alabama 1975, to further provide for a cost-of-living increase for certain persons receiving benefits from the Employees' Retirement System, including beneficiaries of deceased persons currently receiving survivor benefits, who were employed by Auburn University or its cooperative extension service and whose effective date of retirement is prior to October 1, 1996.

And said Bill, HB 672, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Little then requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 150.** Allowing a member of the Teachers' Retirement System to purchase credit in the system for full-time prior service with the Cooperative Extension Service at Auburn University under certain conditions.

And said Bill, HB 150, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Windom requested and received permission to suspend the  
Rules in order to bring up the Bill:

**HB 436.** To provide for third-party payment or prepayment of  
health or medical expenses to physicians for services provided by physician  
assistants working within the parameters of approved practices.

And said Bill, HB 436, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Executive Amend-  
ment to the Bill:

**SB 108.** To provide for ADECA to receive the balance of the  
unexpended amounts from each of the \$300,000 appropriated in fiscal years  
1994-95 and 1995-96 for retirement at Community Action Agencies; and  
to provide for the remittance of the amounts by ADECA to the Community  
Action Agencies.

by a majority of those voting, said vote being: Yeas 93, Nays 0.

And said Bill, SB 108, together with the Executive Amendment, is  
herewith returned to the Senate.

GREG PAPPAS,  
Clerk.

**BILLS ON THIRD READING RESUMED**

Senator Armistead requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 357.** To amend Section 36-27-51 of the Code of Alabama 1975, to reopen the Employees' Retirement System of Alabama to allow certain local employees to purchase credit for certain prior service rendered to nonparticipating employers eligible for participation in the system.

And said Bill, HB 357, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

Senator Butler requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 153.** To provide for distinctive motor vehicle license plates to honor cotton producers; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

And said Bill, HB 153, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

Senator Sanders requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 404.** To designate U. S. Highway 80 from Selma to Mont-

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gomery as the "International Voting Rights Trail"; and to create the International Voting Rights Trail Commission and provide for its membership and duties.

And said Bill, HB 404, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

Senator Figures requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 465.** To provide for distinctive motor vehicle license plates for members of the Kiwanis International; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

And said Bill, HB 465, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 519.** To amend Section 32-6-64, Code of Alabama 1975, to

provide a generic distinctive license plate for passenger cars; to provide a process for approving new distinctive license plate categories without normal legislative bill enactment procedures; to provide minimum subscription requirements; to restrict use of distinctive license plates to passenger cars, pick-up trucks, and certain recreational vehicles only; to establish minimum quantity requirements for generic and distinctive plates; to amend Section 32-6-67 of the Code of Alabama 1975, to establish the functions of the legislative oversight committee; to add Section 32-6-68 to the Code of Alabama 1975 to provide an additional fee and a standard revenue distribution formula; and to provide for an effective date.

GREG PAPPAS,  
Clerk.

### BILLS ON THIRD READING RESUMED

Senator Lindsey requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 90.** To provide for distinctive motor vehicle license plates to honor Alabama's Indian heritage and poultry and egg producers; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

And said Bill, HB 90, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom

-35

Nays:

- 0

### REPORT FROM RULES

Senator Lindsey, Chairperson of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**HJR 502. CREATING THE BLACK BELT INFRASTRUC-**

**30th Day - May 19, 1997****INFRASTRUCTURE DEVELOPMENT JOINT INTERIM LEGISLATIVE COMMITTEE.**

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Black Belt Infrastructure Development Joint Interim Legislative Committee. The committee shall be composed of three members of each house, to be appointed by the presiding officer of each house. The chair and vice chair of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of the development plans for the infrastructure of Alabama's Black Belt counties. The committee shall focus on the Black Belt Infrastructure Development Project encompassing Greene, Washington, Lowndes, Sumter, Hale, Dallas, Perry, Wilcox, Clarke, Marengo, Choctaw, Pickens, and Tuscaloosa Counties.

Upon the request of the chair, the Secretary of the Senate and the Clerk of the House of Representatives shall provide the clerical assistance necessary for the committee's work. The committee shall report its findings, conclusions, and recommendations to the Legislature not later than the fifth legislative day of the 1998 Regular Session, whereupon the committee shall stand dissolved and discharged of any further duties and liabilities. Each member of the committee shall be entitled to his or her regular legislative compensation, his or her per diem, and travel expenses for each day he or she attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the State Comptroller upon requisitions signed by the chair of the committee. Notwithstanding the foregoing, no legislative member shall receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$7,500.

On motion of Senator Steele, said Resolution, HJR 502, was concurred in and adopted by the Senate.

**BILLS ON THIRD READING RESUMED**

Senator Smitherman requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 52.** To provide a cause of action for those persons who are injured by persons who are convicted of the illegal sale, use, or possession of a controlled substance; to provide damages; and to provide for a statute of limitations.

Senator Smitherman then offered the following amendment to the Bill, HB 52, to-wit:

**AMENDMENT TO HB 52**

Amend HB 52 Page 10 Line 21, as follows:

Strike Section 8 in its entirety and renumber subsequent sections.

And on page 15 line 3 strike Section 19 in its entirety and renumber subsequent sections

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 52, as thus amended, was read a third time at length and passed.

Yeas 20 Nays 6

Yeas:

Senators:

Armistead, Bailey, Barron, Bedford, Butler, Denton, Dial, Figures, Freeman, Ghee, Lindsey, McClain, Mitchell, Mitchem, Myers, Roberts, Smith, Smitherman, Steele, and Windom -20

Nays:

Senators:

Adams, Amari, Dixon, Hale, Hill, and Little

- 6

**BILLS ON THIRD READING RESUMED**

Senator Poole requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 162.** Relating to elections; to provide for the testing of electronic voting systems for an election.

The Standing Committee on Constitution, Campaign Finance, Ethics, and Elections reported the following substitute for the Bill, HB 162, to-wit:

**SUBSTITUTE FOR HB 162**

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to elections; to provide for the testing of electronic voting systems for an election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Before testing an automatic tabulating voting equipment used for counting paper ballots for an election, a written notice shall be mailed to the county chair of each political party having a candidate on the ballot, stating the time and place of the test. The political party representatives and representatives of independent candidates may be present for the test, which shall be held at least two weeks before the election except that in the case of a runoff election, the test shall be held at least ten days before the election. The test shall ascertain that the automatic tabulating equipment will accurately count the votes cast for all offices and all measures. The test shall be conducted by processing a preaudited group of paper ballots on ballot cards on which are recorded a predetermined number of valid votes for each candidate and on each measure and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject the votes. During the test a different number of valid votes shall be assigned to each candidate for an office, and for and against each measure. If any error is detected, the cause of the error shall be ascertained and corrected and an errorless count shall be secured and certified to by the county clerk. The tabulating equipment shall pass the same test before the ballot count on an election day before the election returns are certified by the Secretary of State or judge of probate. On completion of the count, the programs, test materials, and ballots shall be sealed and retained as provided for paper ballots. The cost of testing shall qualify as an expense under Section 17-21-1 of the Code of Alabama 1975, such that the county shall receive reimbursement by the state for the testing.

Section 2. In each county where there is an automatic tabulating voting equipment used for county paper ballots for an election, which counts incorrectly from the count before the actual voting, then the counting of ballots shall be by hand.



Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays:

- 0

And said Bill, HB 162, as thus amended, was read a third time at length and passed.

Yeas 29 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Clay, Denton, Dial, Dixon, Escott-Russell, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Myers, Poole, Roberts, Smith, Smitherman, Steele, Waggoner, and Windom -29

Nays:

- 0

### **BILLS ON THIRD READING RESUMED**

Senator Denton requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 533.** To amend Section 1-2-12, Code of Alabama 1975, to specify the species of southern pine to be designated as the state tree.

And said Bill, HB 533, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,

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Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator McClain requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 295.** To provide that the current chemical stockpile plan, as written by the United States Army shall not change to permit the disposal facility to be permitted and constructed and operated at the Anniston Army Depot for any purpose other than to destroy the stockpile of chemical agents and components existing as of the effective date of this act.

And said Bill, HB 295, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom -35

Nays: - 0

Senator Escott-Russell requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 858.** To provide for distinctive motor vehicle license plates for supporters of the Sistas Can Survive Coalition; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

And said Bill, HB 858, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,

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Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Barron requested and received permission to suspend the  
Rules in order to bring up the Bill:

**HB 420.** To make a conditional appropriation from the General  
Fund in the State Treasury to the Department of Agriculture and Industries,  
in the amount of \$5,000,000 for the fiscal year ending September 30, 1997.

And said Bill, HB 420, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Ghee requested and received permission to suspend the  
Rules in order to bring up the Bill:

**HB 467.** To amend Sections 16-33C-6, 16-33C-8 and 40-18-19  
of the Code of Alabama 1975, to provide further for the tax status and  
dissolution procedure for the Prepaid Affordable College Tuition program.

And said Bill, HB 467, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay,  
Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee,  
Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell,  
Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele,  
Waggoner, and Windom -35

Nays: - 0

Senator Steele requested and received permission to suspend the Rules in order to bring up the Bill:

**HB 84.** To amend Section 11-3-1 of the Code of Alabama 1975, relating to the term of office of county commissioner; to provide for the commencement of the term of office of county commissioners in all counties; and to prohibit the county commission from meeting after the election of any member of the commission before the first scheduled meeting except in the case of a declared emergency.

And said Bill, HB 84, was read a third time at length and passed.

Yeas 35 Nays 0

Yeas:

Senators:

Adams, Amari, Armistead, Bailey, Barron, Bedford, Biddle, Butler, Clay, Davidson, Denton, Dial, Dixon, Escott-Russell, Figures, Freeman, Ghee, Hale, Hill, Langford, Lindsey, Lipscomb, Little, McClain, Mitchell, Mitchem, Myers, Poole, Roberts, Sanders, Smith, Smitherman, Steele, Waggoner, and Windom  
-35

Nays:

- 0

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 57.** Regulating the installing and servicing of alarm systems; creating the Alabama Electronic Security Board of Licensure and specifying its composition, powers, and duties; specifying it is subject to the Alabama Sunset Law; creating a special fund to be known as the Alabama Electronic Security Board of Licensure Fund; providing for an appropriation from the fund to the board for the fiscal year ending September 30, 1998, in an amount deemed necessary by the board; providing for the licensure process, fees, violations, enforcement, application, and monetary, civil, and criminal penalties; and excluding from application counties with certain populations.

Also:

**SB 168.** To amend Section 13A-7-29, Code of Alabama 1975,

relating to the offense of criminal littering to provide for a rebuttable presumption for certain material found in the litter.

Also:

**SB 273.** To amend Section 32-13-6 of the Code of Alabama 1975, relating to towed vehicles; to provide for storage charges under certain conditions.

Also:

**SB 314.** To prohibit physicians from performing partial-birth abortions; to prescribe penalties for violations of this act.

Also:

**SB 396.** Relating to policies of certain school boards; to require each local school board to establish a written reduction-in-force policy.

Also:

**SB 462.** To consolidate into one office the Administrative Law Judges or Hearing Officers; to provide for the appointment of a Chief Administrative Law Judge and administrative law judges; and to provide for qualifications, compensation, powers, and duties of the office and the positions.

Also:

**SB 563.** Providing for state officials to process passports and for disposition of fees.

Also:

**SB 515.** To amend Section 16-13-140, Code of Alabama 1975, relating to budgeting for local boards of education; to require public hearings on proposed annual budgets.

Also:

**SB 598.** To amend Sections 40-18-1, 40-18-6, 40-18-8, 40-18-21, 40-18-22, 40-18-24, 40-18-25, 40-18-28, 40-18-160, 40-18-161, 40-18-162, 40-18-164, 40-18-165, 40-18-166, 40-18-167, 40-18-171, 40-18-172, 40-18-175, 40-18-176, and 40-27-1, Code of Alabama 1975, to con-

form state income tax treatment of certain corporations, partnerships, and other limited liability business entities to the federal income tax code and to delete individuals from the Alabama Multistate Tax Compact; and to provide a retroactive effective date as to portions of the bill.

Also:

**SB 688.** Relating to insurance, to provide further for the regulation of health insurance by authorizing the Commissioner of Insurance to create a high risk pool to provide health insurance coverage to eligible individuals to be called the Alabama Health Insurance Plan, and also to promote the availability of health insurance coverage to small employers regardless of their health status or claims experience; to provide a premium tax offset for insurers funding the plan; to provide immunity to insurers participating in the plan; to exempt the plan from any taxation, and to provide an effective date.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 291.** Amending Sections 28-3-1, 28-3-168, 28-3A-25, 28-6-1, and 28-7-2 of the Code of Alabama 1975, so as to alter the percentage of alcohol by volume in the definitions of table wine, fortified wine or vinous liquor, and native farm wine, and to provide an additional exception to the prohibitions against buying, giving away, selling, serving, or consuming alcoholic beverages during certain hours.

GREG PAPPAS,  
Clerk.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, and finds same correctly enrolled, to-wit:

**SB 108.** To provide for ADECA to receive the balance of the unexpended amounts from each of the \$300,000 appropriated in fiscal years 1994-95 and 1995-96 for retirement at Community Action Agencies; and to provide for the remittance of the amounts by ADECA to the Community Action Agencies.

PAT LINDSEY,  
Chairperson.

## SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 1046.** To amend Sections 9-16-4, and 9-16-8, Code of Alabama 1975, relating to surface mining; to increase the amount of surety required to secure the obligation to reclaim areas affected by surface mining and to further provide for certain exemptions to the permit and surety requirements.

GREG PAPPAS,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

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The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 562.** Relating to grandparent visitation; to provide further for the right of a grandparent to petition for visitation of grandchildren; and to repeal Section 30-3-4, Code of Alabama 1975.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

**HB 336.** To exempt the Anniston Fellowship House, Inc., and the Wings of Life, Inc., and the Jacksonville Christian Outreach Center, Inc., Wiregrass Children's Home, Inc., DoDa Parade, Lee County Humane Society, and Huntsville Emergency Medical Services, Inc., from the payment of all state, county, and municipal sales and use taxes.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 113.** Relating to health insurance and health benefit plans; to prohibit a health insurer or health benefit plan from requiring as a condition of insurability that a person take a genetic test which may show whether the person has a predisposition for cancer; and to prohibit a health benefit plan from using the results of any genetic test which may show the predisposition of a person for cancer to determine insurability or to otherwise discriminate against the person in rates or benefits based on the genetic test results.

GREG PAPPAS,  
Clerk.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 53.** To amend Section 36-21-2, Code of Alabama 1975, to provide further for the subsistence allowance for certain law enforcement officers.

GREG PAPPAS,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

**SB 225.** To amend Sections 22-39-1 and 22-39-3 of the Code of Alabama 1975, to bring the Alabama Asbestos Contractor Act into compliance with applicable federal laws.

GREG PAPPAS,  
Clerk.

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, and finds same correctly enrolled, to-wit:

**SB 53.** To amend Section 36-21-2, Code of Alabama 1975, to provide further for the subsistence allowance for certain law enforcement officers.

Also:

**SB 113.** Relating to health insurance and health benefit plans; to prohibit a health insurer or health benefit plan from requiring as a condition of insurability that a person take a genetic test which may show whether

the person has a predisposition for cancer; and to prohibit a health benefit plan from using the results of any genetic test which may show the predisposition of a person for cancer to determine insurability or to otherwise discriminate against the person in rates or benefits based on the genetic test results.

Also:

**SB 225.** To amend Sections 22-39-1 and 22-39-3 of the Code of Alabama 1975, to bring the Alabama Asbestos Contractor Act into compliance with applicable federal laws.

PAT LINDSEY,  
Chairperson.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 108.** To make an appropriation of \$421,715 from the Education Trust Fund for the support and maintenance of Talladega College for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

Also:

**HB 109.** To make an appropriation of \$446,331 from the Education Trust Fund for the support and maintenance of Marion Military Institute for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

Also:

**HB 110.** To make an appropriation of \$208,287 from the Edu-

cation Trust Fund for the support and maintenance of Lyman Ward Military Academy for the fiscal year ending September 30, 1998, and to require an operations plan prior to release of any funds.

Also:

**HB 345.** To provide for a permanent Joint Legislative Oversight Committee on Community Services Grants.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

**HB 105.** To make an appropriation of \$23,262,924 from the Education Trust Fund, an appropriation of \$2,751,000 from the Driver Impaired Trust Fund, and an appropriation of \$85,463,872 from Federal and Local Funds to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998; and to make a conditional appropriation of \$2,326,292 to the Department of Rehabilitation Services for the fiscal year ending September 30, 1998.

Also:

**HB 745.** To make an appropriation of \$276,317 from the Education Trust Fund to the Governor's Commission on Physical Fitness and to earmark \$10,000 to Montgomery Wheelchair Sports Club, Inc. and \$5,000 to the West End Sports Association for the fiscal year ending September 30, 1998.

Also:

**HB 104.** To make an appropriation of \$381,534 from the Education Trust Fund to the Space Science Exhibit Commission for the fiscal year ending September 30, 1998, for educational purposes.

Also:

**HB 102.** To make an appropriation of \$950,000 from the Education Trust Fund to the Children's Hospital in Birmingham, Alabama, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 197.** To make an appropriation of \$391,304 from the Education Trust Fund for the support and maintenance of Camp ASCCA, in Jackson Gap, Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HJR 550.** CONGRATULATING ALEXIS HERMAN UPON HER CONFIRMATION AS UNITED STATES SECRETARY OF LABOR.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS AND RESOLUTIONS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 122.** To make an appropriation of \$1,049,579 from the Edu-

cation Trust Fund for the support and maintenance of the cerebral palsy education program for the year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 196.** To make an appropriation to the Department of Public Health in the amount of \$4,714,831 from the Education Trust Fund, of which \$150,000 is a conditional appropriation, for the support and maintenance of the Emergency Medical Services Programs for the fiscal year ending September 30, 1998.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 130.** To make an appropriation of \$126,250 from the Education Trust Fund to the Central Alabama Opportunities Industrialization Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 132.** To make an appropriation of \$17,681 from the Education Trust Fund to the Alabama YMCA Youth and Government for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**30th Day - May 19, 1997**

**HB 131.** To make an appropriation of \$1,482,112 from the Education Trust Fund for the support and maintenance of the sickle cell education program and to make a conditional appropriation of \$134,000 from the Education Trust Fund to the UAB Comprehensive Sickle Cell Center for the fiscal year ending September 30, 1998; and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 127.** To make an appropriation of \$1,180,196 from the Education Trust Fund to the East Alabama Child Development Center for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 123.** To make an appropriation of \$307,615 from the Education Trust Fund to the Helen Keller Eye Research Foundation for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 425.** To make an appropriation of \$150,000 from the Education Trust Fund to the Alabama Humanities Foundation for the fiscal year ending September 30, 1998, and to require an audited financial statement and operations plan prior to release of any funds.

GREG PAPPAS,  
Clerk.

**SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolutions, your signature thereto is requested.

**HB 701.** To provide for distinctive motor vehicle license plates for members of the Alabama Association of Realtors; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

Also:

**HJR 20.** EXTENDING THE JOINT INTERIM LEGISLATIVE STUDY COMMITTEE TO EVALUATE UNMET NEEDS OF CAREGIVERS AND VICTIMS OF ALZHEIMER'S DISEASE AND RELATED DISORDERS AND PROVIDING FURTHER FOR THE EXPENSES.

Also:

**HJR 277.** HONORING DR. JOHN T. GIBSON FOR OUTSTANDING PROFESSIONAL ACHIEVEMENTS.

Also:

**HJR 388.** ESTABLISHING AN ADVISORY COMMITTEE TO STUDY THE FEASIBILITY OF ALLOWING MEMBERS OF THE LEGISLATURE TO PARTICIPATE IN A RETIREMENT PLAN OR IN AN HONORARY MEMBERSHIP POSITION.

Also:

**HJR 422.** TO ESTABLISH A JOINT INTERIM LEGISLATIVE COMMITTEE AND SUBCOMMITTEE ON RURAL TRANSPORTA-

TION TO DEVELOP A FIVE-YEAR PLAN CONCERNING TRANSPORTATION AND TO IDENTIFY RESOURCES FOR TRANSPORTATION.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS AND RESOLUTIONS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 424.** To make an appropriation of \$75,000 from the Education Trust Fund to the Alabama Sports Festival, for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

Also:

**HB 198.** To make an appropriation of \$4,196,674 from the Education Trust Fund to the State Board of Education for the support and maintenance of special programs for special education for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the



foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

**HJR 505.** EXTENDING THE REPORTING TIME OF THE JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE FEASIBILITY OF BUILDING TOLL ROADS FROM HUNTSVILLE TO GULF SHORES, ALABAMA.

Also:

**HJR 523.** HONORING DR. HECTOR MACK RUMBLEY, D.V.M., ON 50 YEARS OF VETERINARY MEDICAL PRACTICE.

Also:

**HJR 545.** COMMENDING RYAN CONFER ON HIS OUTSTANDING ACADEMIC ACHIEVEMENTS.

Also:

**HJR 546.** MOURNING THE DEATH OF HAROLD MCABEE OF TUSCALOOSA, ALABAMA.

Also:

**HJR 547.** COMMENDING COACH RUDY ABBOTT ON HIS OUTSTANDING ATHLETIC ACHIEVEMENTS.

GREG PAPPAS,  
Clerk.

### SIGNING OF RESOLUTIONS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the

foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 125.** To make an appropriation of \$100,000 from the Education Trust Fund to the Epilepsy Foundation of North and Central Alabama for the fiscal year ending September 30, 1998, and to require an operations plan and audited financial statement prior to release of any funds.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolutions, your signature thereto is requested.

**HB 191.** To provide for distinctive motor vehicle license plates for supporters of the Alabama Wildlife Federation; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

Also:

**HJR 480.** MOURNING THE DEATH OF CHRIS FULLERTON OF BIRMINGHAM, ALABAMA.

Also:

**HJR 487.** COMMENDING THE SHELTON STATE COMMUNITY COLLEGE GOLF TEAM ON ITS ALABAMA STATE JUNIOR COLLEGE GOLF CHAMPIONSHIPS.

Also:

**HJR 569.** CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE ON THE MONTGOMERY COUNTY DEPARTMENT OF HUMAN RESOURCES.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS AND RESOLUTIONS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 222.** To amend Section 16-9-8, Code of Alabama 1975, to provide that elected county superintendents of education take office on January 1 following election.

Also:

**HB 852.** Relating to the Board of Dental Examiners; to amend Sections 34-9-15, 34-9-19, and 34-9-28, Code of Alabama 1975, so as to increase the penalty fee for the reinstatement of a license to practice dentistry after the automatic suspension of the license; to clarify advertising requirements; to increase the penalty fee for reinstatement of a license to practice as a dental hygienist after the automatic suspension of the license; to regulate services and advertisements relating to dental referral services; and to provide certain administrative disciplinary actions for violations.

GREG PAPPAS,  
Clerk.

## SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 164.** To amend Sections 41-9-340, 41-9-342, 41-9-345, 41-9-347, 41-9-348, 41-9-349, 41-9-351, and 41-9-357, Code of Alabama 1975; to further provide the terms, powers, and duties of the USS Alabama Battleship Commission; to provide the meetings of the commission; to provide for employee benefits; and to provide for the battleship fund.

Also:

**HB 188.** To amend Sections 41-16-27 and 41-16-57 of the Code of Alabama 1975, relating to competitive bids on certain contracts, to extend the time limit for which contracts for the purchase of personal property or contractual services may be awarded.

Also:

**HB 374.** Relating to Title 7 of the Code of Alabama 1975, the Uniform Commercial Code; to repeal the current Article 5 (commencing with Section 7-5-101) and replace it with a new Article 5 regarding letters of credit; and to provide for the following regarding letters of credit: A short title; definitions of terms; scope of Article 5; formal requirements for letter of credit documents; to state that consideration is not required for letter of credit documents; the issuance, amendment, cancellation, and duration of letters of credit; the obligations of a confirmer, nominated person, and adviser; issuer's rights and obligations; fraud and forgery as it relates to the beneficiary, issuer, or applicant; warranties; remedies for the beneficiary, successor, or nominated person for breaches of obligations of a letter of credit; transfer of a letter of credit; transfer by operation of law; assignment of proceeds of a letter of credit; statute of limitations to enforce a right or obligation under Article 5; choice of law and forum; subrogation of is-

suer, applicant, and nominated person; prospective applicability of the article; a savings clause for transactions of letters of credit occurring prior to the effective date of this act; and to amend the following sections of Title 7: Section 7-1-105 to provide for territorial application of Title 5 and the power of parties to choose applicable law; Section 7-2-512 to conform a reference to the new Article 5; Section 7-9-103 relating to perfection of security interests in multiple state transactions; Section 7-9-104 to exclude the application of Article 9 to a transfer of a letter of credit other than rights to proceeds; Section 7-9-105 to add references to definitions of "letter of credit" and "proceeds of a letter of credit" to Article 9; Section 7-9-106 to further define "account" and "general intangibles" to include rights to proceeds of letters of credit; Sections 7-9-304 and 7-9-305 to specify perfection of a security interest in proceeds of a letter of credit by filing and by taking possession; and to provide a prospective effective date of January 1, 1998.

Also:

**HB 707.** Providing for the Uniform Transfer On Death Security Registration Act; permitting owners of securities to register beneficiaries to whom the ownership of the security shall be transferred upon the death of the owner; providing certain ownership and registering requirements, applicable law, the effect of registering, protection for the registering entity, terms and conditions the registering entity may impose, and illustrations of registration forms.

Also:

**HB 912.** To provide for distinctive motor vehicle license plates for the 4-H Club Foundation; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 385.** To amend Section 22-21-29, Code of Alabama 1975, relating to the inspection of health care facilities, to prohibit advance disclosure of the dates of inspection of health care facilities.

Also:

**HB 603.** To provide for distinctive motor vehicle license plates for supporters of the Alabama Sports Festival, Inc.; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

Also:

**HB 519.** To amend Section 32-6-64, Code of Alabama 1975, to provide a generic distinctive license plate for passenger cars; to provide a process for approving new distinctive license plate categories without normal legislative bill enactment procedures; to provide minimum subscription requirements; to restrict use of distinctive license plates to passenger cars, pick-up trucks, and certain recreational vehicles only; to establish minimum quantity requirements for generic and distinctive plates; to amend Section 32-6-67 of the Code of Alabama 1975, to establish the functions of the legislative oversight committee; to add Section 32-6-68 to the Code of Alabama 1975 to provide an additional fee and a standard revenue distribution formula; and to provide for an effective date.

GREG PAPPAS,  
Clerk.

**SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 792.** To provide for a voluntary check-off designation on state income tax returns for the Alliance for the Mentally Ill of Alabama (AMI) and for the Mental Health Consumers of Alabama (MHCA).

GREG PAPPAS,  
Clerk.

**SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 153.** To provide for distinctive motor vehicle license plates to honor cotton producers; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

Also:

**HB 357.** To amend Section 36-27-51 of the Code of Alabama 1975, to reopen the Employees' Retirement System of Alabama to allow certain local employees to purchase credit for certain prior service rendered to nonparticipating employers eligible for participation in the system.

Also:

**HB 436.** To provide for third-party payment or prepayment of

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30th Day - May 19, 1997

health or medical expenses to physicians for services provided by physician assistants working within the parameters of approved practices.

Also:

**HB 155.** To amend Section 22-27-3, Code of Alabama 1975; relating to the authority of local governing bodies to establish mandatory programs of solid waste collection and provide for exceptions to certain persons and entities; to provide further for exceptions for persons or entities served by a mandatory solid waste collection program established by a county.

Also:

**HB 636.** To exempt awards of severance pay or income from a supplemental income plan as a result of termination of employment from state, county, or municipal income tax.

Also:

**HB 672.** To amend Section 7 of Act 96-572, 1996 Regular Session, now appearing as Section 36-27-132, Code of Alabama 1975, to further provide for a cost-of-living increase for certain persons receiving benefits from the Employees' Retirement System, including beneficiaries of deceased persons currently receiving survivor benefits, who were employed by Auburn University or its cooperative extension service and whose effective date of retirement is prior to October 1, 1996.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 150.** Allowing a member of the Teachers' Retirement Sys-



tem to purchase credit in the system for full-time prior service with the Cooperative Extension Service at Auburn University under certain conditions.

Also:

**HB 1051.** Relating to the promotion of the production, marketing, use, and sale of ratites and ratite products; to provide a means by which members of the ratite industry may organize and by referendum levy upon themselves assessments for the purpose of financing promotional programs; to provide a means of collecting, disbursing, and expending any assessments; to provide for the promulgation of rules and procedures; and to prescribe penalties for violations of this act.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 90.** To provide for distinctive motor vehicle license plates to honor Alabama's Indian heritage and poultry and egg producers; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

Also:

**HB 404.** To designate U. S. Highway 80 from Selma to Montgomery as the "International Voting Rights Trail"; and to create the International Voting Rights Trail Commission and provide for its membership and duties.

Also:

**HB 465.** To provide for distinctive motor vehicle license plates for members of the Kiwanis International; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

**HJR 502.** CREATING THE BLACK BELT INFRASTRUCTURE DEVELOPMENT JOINT INTERIM LEGISLATIVE COMMITTEE.

GREG PAPPAS,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 858.** To provide for distinctive motor vehicle license plates

for supporters of the Sistas Can Survive Coalition; to provide for a fee; to provide for distribution of the net proceeds from the sale of the plates; to provide for an appropriation; and to provide for a delayed effective date.

Also:

**HB 420.** To make a conditional appropriation from the General Fund in the State Treasury to the Department of Agriculture and Industries, in the amount of \$5,000,000 for the fiscal year ending September 30, 1997.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 295.** To provide that the current chemical stockpile plan, as written by the United States Army shall not change to permit the disposal facility to be permitted and constructed and operated at the Anniston Army Depot for any purpose other than to destroy the stockpile of chemical agents and components existing as of the effective date of this act.

Also:

**HB 84.** To amend Section 11-3-1 of the Code of Alabama 1975, relating to the term of office of county commissioner; to provide for the commencement of the term of office of county commissioners in all counties; and to prohibit the county commission from meeting after the election of any member of the commission before the first scheduled meeting except in the case of a declared emergency.

Also:

**HB 467.** To amend Sections 16-33C-6, 16-33C-8 and 40-18-19 of the Code of Alabama 1975, to provide further for the tax status and dissolution procedure for the Prepaid Affordable College Tuition program.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

**HB 291.** Amending Sections 28-3-1, 28-3-168, 28-3A-25, 28-6-1, and 28-7-2 of the Code of Alabama 1975, so as to alter the percentage of alcohol by volume in the definitions of table wine, fortified wine or vinous liquor, and native farm wine, and to provide an additional exception to the prohibitions against buying, giving away, selling, serving, or consuming alcoholic beverages during certain hours.

Also:

**HB 533.** To amend Section 1-2-12, Code of Alabama 1975, to specify the species of southern pine to be designated as the state tree.

Also:

**HB 336.** To exempt the Anniston Fellowship House, Inc., and the Wings of Life, Inc., and the Jacksonville Christian Outreach Center, Inc., Wiregrass Children's Home, Inc., DoDa Parade, Lee County Humane Society, and Huntsville Emergency Medical Services, Inc., from the payment of all state, county, and municipal sales and use taxes.

Also:

**HB 562.** Relating to grandparent visitation; to provide further

for the right of a grandparent to petition for visitation of grandchildren; and to repeal Section 30-3-4, Code of Alabama 1975.

Also:

**HB 1046.** To amend Sections 9-16-4, and 9-16-8, Code of Alabama 1975, relating to surface mining; to increase the amount of surety required to secure the obligation to reclaim areas affected by surface mining and to further provide for certain exemptions to the permit and surety requirements.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 1052.** To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of the production, marketing, use, and sale of ratites and ratite products; to provide a means by which members of the ratite industry may organize and by referendum levy upon themselves assessments for the purpose of financing promotional programs; to provide a means of collecting, disbursing, and expending any assessments; to provide for the refund of assessments; and to provide for the promulgation of rules and procedures.

GREG PAPPAS,  
Clerk.

### **SIGNING OF BILLS**

The Presiding Officer of the Senate, in the presence of the Senate,

after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

**HB 54.** Requiring the Code Commissioner to have acts of the Legislature and the Code of Alabama 1975 copyrighted; permitting state agencies to purchase the code and abolishing portions of the present distribution system; providing that the contract for the publishing and selling of the Code of Alabama 1975 shall not be subject to laws regarding competitive bidding contracts; providing for the determination of the price the publisher will charge for the sale of the code; providing for maintenance of distribution records, ownership, judicial action for the value of misappropriated codes, and appropriations; permitting the Code Commissioner, upon a determination by the Legislative Council, to contract for the publishing of compilations of portions of the code regarding a specific state agency; repealing provisions regarding lost or destroyed copies and distribution; amending Sections 36-13-5, 41-21-1, 41-21-4, 41-21-5, 41-21-6, 41-21-7, and 41-21-8, Code of Alabama 1975; repealing Sections 41-21-2 and 41-21-3, Code of Alabama 1975; and providing a prospective effective date for certain sections of the act.

GREG PAPPAS,  
Clerk.

### SIGNING OF BILLS

The Presiding Officer of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and

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House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor with the date and hour of delivery, to-wit:

SB 564

Delivered to the Governor on May 19, 1997, at 1:20 P.M.

SB 471	SB 603	SB 637	SB 667	SB 697	SB 715
SB 472	SB 619	SB 641	SB 672	SB 698	SB 717
SB 539	SB 636	SB 665			

Delivered to the Governor on May 19, 1997, at 4:25 P.M.

SB 67	SB 652	SB 699	SB 714	SB 465	SB 706
SB 80	SB 674	SB 707	SB 449	SB 579	

Delivered to the Governor on May 19, 1997, at 5:02 P.M.

SJR 167	SJR 168	SB 6	SB 10	SB 160	SB 287
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Delivered to the Governor on May 19, 1997, at 5:40 P.M.

SJR 166	SB 349	SB 191	SB 379	SB 437	SB 476
SB 66	SB 657				

Delivered to the Governor on May 19, 1997, at 7:40 P.M.

SJR 169

Delivered to the Governor on May 19, 1997, at 8:56 P.M.

SJR 170	SB 226	SB 502	SB 630
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Delivered to the Governor on May 19, 1997, at 9:55 P.M.

SB 57	SB 314	SB 563	SB 598	SB 108	SB 113
SB 168	SB 396	SB 515	SB 688	SB 53	SB 225
SB 273	SB 462				

Delivered to the Governor on May 19, 1997, at 11:59 P.M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

PAT LINDSEY,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Lindsey, the foregoing report was concurred in and dispensed with and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

**ADJOURNMENT**

At 11:59 P.M., on motion of Senator Bedford, in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

McDOWELL LEE,  
Secretary of Senate.



**ROSTER OF THE SENATE OF ALABAMA  
REGULAR SESSION 1997**

**OFFICERS**

DON SIEGELMAN, *Lieutenant Governor*, Montgomery  
DEWAYNE FREEMAN, *President Pro Tempore*, Huntsville  
CHARLES McDOWELL LEE, *Secretary*, Montgomery  
D. PATRICK HARRIS, *Assistant Secretary*, Montgomery  
DAVID AVANT, *Administrative Assistant*, Prattville  
MRS. SUZAN McCLELLAND, *Chief Clerk*, Prattville

**MEMBERS OF THE SENATE**

Dist. Nos.	Counties & Names	Addresses
1	COLBERT, LAUDERDALE Bobby E. Denton .....	P.O. Box 987, Tuscumbia 35674
2	LIMESTONE, MADISON, MORGAN Tom Butler .....	136 Hartington Drive, Madison 35758
3	LAWRENCE, MORGAN, WINSTON Tommy Ed Roberts .....	P.O. Box 1268, Hartselle 35640
4	CULLMAN, MADISON, MORGAN Don Hale .....	411 4th Avenue, N.E., Cullman 35055
5	JEFFERSON, SHELBY, TUSCALOOSA, WALKER, WINSTON Charles Davidson .....	Route 9, Box 439-K, Jasper 35501
6	COLBERT, FAYETTE, FRANKLIN, LAMAR, MARION, PICKENS, WINSTON Roger Bedford .....	P.O. Box 669, Russellville 35653
7	MADISON Dewayne Freeman .....	P.O. Box 3069, Huntsville 35810
8	DEKALB, JACKSON, MADISON Lowell Barron .....	P.O. Box 65, Fyffe 35971

- 9 BLOUNT, DEKALB, MARSHALL  
Hinton Mitchem ..... P.O. Box 297, Albertville 35950
- 10 ETOWAH, ST. CLAIR  
Roy Smith ..... 753 Forrest Ave., Gadsden 35901
- 11 COOSA, ELMORE, TALLADEGA  
Dell Hill ..... 706 Selwood Road, Alpine 35014
- 12 CALHOUN  
Doug Ghee ..... P.O. Box 848, Anniston 36202
- 13 CHAMBERS, CHEROKEE, CLAY, CLEBURNE, DEKALB,  
LEE, RANDOLPH  
Gerald Dial ..... P.O. Box 248, Lineville 36266
- 14 BIBB, CHILTON, SHELBY  
Bill Armistead ..... 6 Brush Creek Farms, Columbiana 35051
- 15 JEFFERSON  
John Amari ..... 9636 Parkway East, Birmingham 35215
- 16 JEFFERSON, SHELBY  
J. T. "Jabo" Waggoner ..... Two Perimeter Park South  
Birmingham 35243
- 17 JEFFERSON, ST. CLAIR  
Jack Biddle, III ..... 2256 Pinehurst Drive, Gardendale 35071
- 18 JEFFERSON  
Rodger M. Smitherman ..... 2029 Second Avenue, North  
Birmingham 35203
- 19 JEFFERSON  
Edward "E.B." McClain ..... 3826 Troy Terrace, Brighton 35020
- 20 JEFFERSON  
Sundra Escott-Russell ..... P.O. Box 8343, Birmingham 35218
- 21 HALE, PICKENS, TUSCALOOSA  
Phil Poole ..... P.O. Box 609, Moundville 35474
- 22 BALDWIN, CHOCTAW, CLARKE, CONECUH, ESCAMBIA,  
MONROE, WASHINGTON  
W. H. "Pat" Lindsey ..... 126 South Mulberry Street  
Butler 36904

- 23 CHOCTAW, CLARKE, CONECUH, DALLAS, LOWNDES,  
MARENGO, MONROE, WILCOX  
Hank Sanders ..... P.O. Box 1305, Selma 36702
- 24 GREENE, HALE, MARENGO, PERRY, SUMTER, TUSCA-  
LOOSA  
Charles Steele, Jr. .... P. O. Box 1396, Tuscaloosa 35401
- 25 ELMORE, MONTGOMERY  
Larry Dixon ..... P.O. Box 946, Montgomery 36101
- 26 MONTGOMERY  
Charles Langford ..... 400 S. Union Street, Suite 205  
Montgomery 36104
- 27 LEE, RUSSELL, TALLAPOOSA  
T. D. "Ted" Little ..... P.O. Box 2366, Auburn 36830-2366
- 28 BARBOUR, BULLOCK, HENRY, LEE, MACON, RUSSELL  
George Clay ..... P.O. Box 299, Tuskegee 36083
- 29 DALE, GENEVA, HENRY, HOUSTON  
Chip Bailey ..... P.O. Box 6791, Dothan 36303
- 30 AUTAUGA, BUTLER, CRENSHAW, DALE, ELMORE,  
LOWNDES, PIKE  
Wendell Mitchell ..... P.O. Box 225, Luverne 36049
- 31 COFFEE, COVINGTON, DALE, HOUSTON  
Dwight Adams ..... P.O. Drawer 1775, Enterprise 36331
- 32 BALDWIN, MOBILE  
Albert Lipscomb ..... P.O. Box 209, Magnolia Springs 36555
- 33 MOBILE  
Vivian Davis Figures ..... P.O. Box 40536, Mobile 36640
- 34 MOBILE  
H.E. "Hap" Myers, Jr. .... P.O. Box 135, Mobile 36601
- 35 MOBILE  
Steve Windom ..... P.O. Drawer 2025, Mobile 36652
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**STANDING COMMITTEES  
OF THE  
ALABAMA STATE SENATE  
1997**

**ECONOMIC EXPANSION AND TRADE**

Freeman, Chairperson; Hale, Vice Chairperson; Bedford, Biddle, Smitherman [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Ruth Cochran, 242-7856.

**RULES**

Lindsey, Chairperson; Bedford, Vice Chairperson; Bailey, Biddle, Denton, Freeman, Sanders, Smitherman, Windom [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Lynne Pickering, 242-7842.

**JUDICIARY**

Bedford, Chairperson; Amari, Vice Chairperson; Davidson, Escott-Russell, Figures, Langford, Lindsey, Lipscomb, Little, Sanders, Smitherman, Steele, Windom [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Georgia Kamburis, 242-7869.

**CRIME AND PUNISHMENT AND PRISON REFORM SUBCOMMITTEE**

Davidson, Chairperson; Lindsey, Little.

**VIOLENT ACTS AGAINST THE ELDERLY AND DOMESTIC VIOLENCE SUBCOMMITTEE**

Escott-Russell, Chairperson; Sanders, Windom.

**VIOLENCE IN SCHOOLS SUBCOMMITTEE**

Lipscomb, Chairperson; Smitherman, Steele.

**LAW ENFORCEMENT AND VICTIMS RIGHTS SUBCOMMITTEE**

Bedford, Chairperson; Little, Steele.

**JUDICIAL AND CIVIL JUSTICE SYSTEM SUBCOMMITTEE**

Amari, Chairperson; Lindsey, Smitherman.

**GOVERNMENTAL AFFAIRS**

Mitchell, Chairperson; Dixon, Vice Chairperson; Adams, Denton, Ghee, Myers, Smitherman. Committee Clerk: Marsha Allison, 242-7849.

**STATE ADMINISTRATION AND STATE EMPLOYEES SUBCOMMITTEE**

Dixon, Chairperson; Smitherman, Vacancy, Vacancy.

**COUNTIES AND MUNICIPAL GOVERNMENTS SUBCOMMITTEE**

Myers, Chairperson; Smitherman, Vacancy, Vacancy.

**EDUCATION**

Ghee, Chairperson; Waggoner, Vice Chairperson; Armistead, Bailey, Bedford, Figures, Langford, Lipscomb, Steele [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Joyce Wright, 242-7112.

**PRIMARY AND SECONDARY EDUCATION SUBCOMMITTEE**

Ghee, Chairperson; Lipscomb, Vacancy.

**POSTSECONDARY AND HIGHER EDUCATION SUBCOMMITTEE**

Armistead, Chairperson; Langford, Steele.

**STREAMLINING THE DEPARTMENT OF EDUCATION SUBCOMMITTEE**

Waggoner, Chairperson; Armistead, Bedford.

**CONSTITUTION, CAMPAIGN FINANCE,  
ETHICS, AND ELECTIONS**

Denton, Chairperson; Smitherman, Vice Chairperson; Armistead, Bailey, Butler, Dixon, Figures, Ghee, Hill, Little, Poole, Steele, Windom, [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Carolyn Dunlavy, 242-7887.

**CONSTITUTIONAL REVISION SUBCOMMITTEE**

Poole, Chairperson; Vacancy, Vacancy.

**CAMPAIGN FINANCE ACCOUNTABILITY SUBCOMMITTEE**

Little, Chairperson; Dixon, Vacancy.

**ETHICS IN GOVERNMENT SUBCOMMITTEE**

Hill, Chairperson; Bailey, Vacancy.

**ELECTION LAWS AND VOTER PARTICIPATION SUBCOMMITTEE**

Armistead, Chairperson; Dixon, Vacancy.

**CONSERVATION, ENVIRONMENT,  
AND NATURAL RESOURCES**

McClain, Chairperson; Biddle, Vice Chairperson; Bailey, Bedford, Escott-Russell, Hill, Windom, [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Vickie Simmons, 242-7866.

**FISH AND GAME SUBCOMMITTEE**

Biddle, Chairperson; Bedford, Hill.

**LAND, AIR, AND WATER SUBCOMMITTEE**

Escott-Russell, Chairperson; McClain, Windom.

**WATERWAYS AND COASTAL WATERS SUBCOMMITTEE**

Windom, Chairperson; Bailey, Escott-Russell.

**BANKING AND INSURANCE**

Windom, Chairperson; Amari, Vice Chairperson; Clay, Escott-Russell, Mitchem, Roberts, Waggoner [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Winks Kelley, 242-7118.

**BANKING SUBCOMMITTEE**

Amari, Chairperson; Escott-Russell, Mitchem.

**INSURANCE SUBCOMMITTEE**

Clay, Chairperson; Roberts, Waggoner.

**SMALL BUSINESS AND RURAL DEVELOPMENT**

Butler, Chairperson; Smith, Vice Chairperson; Adams, Clay, Davidson, Little, Poole, Sanders, Steele [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Randy Allen, 242-7872.

**SMALL BUSINESS DEVELOPMENT SUBCOMMITTEE**

Vacancy, Vacancy, Vacancy.

**VOLUNTEER FIRE FIGHTERS AND RESCUE WORKERS SUBCOMMITTEE**

Butler, Chairperson; Poole, Vacancy.

**RURAL DEVELOPMENT SUBCOMMITTEE**

Steele, Chairperson; Vacancy, Vacancy.

**INDUSTRIAL DEVELOPMENT AND RECRUITMENT**

Roberts, Chairperson; Armistead, Vice Chairperson; Denton, McClain, Myers, Poole, Smith, Smitherman, Steele, [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Bobbi Moseley, 242-7853.

**ECONOMIC RECRUITMENT AND RESEARCH SUBCOMMITTEE**

Poole, Chairperson; Vacancy, Vacancy.

**ALABAMA DEVELOPMENT OFFICE SUBCOMMITTEE**

Armistead, Chairperson; Vacancy, Vacancy.

**ECONOMIC INCENTIVES SUBCOMMITTEE**

Vacancy, Vacancy, Vacancy.

**COMMERCE, TRANSPORTATION, AND UTILITIES**

Hale, Chairperson; Waggoner, Vice Chairperson; Bedford, Biddle, Clay, Davidson, Lindsey, McClain, Steele [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Sandi Culver, 242-7113.

**MINING AND RECLAMATION SUBCOMMITTEE**

Biddle, Chairperson; Davidson, McClain.

**OIL AND GAS SUBCOMMITTEE**

Lindsey, Chairperson; Steele, Waggoner.

TRANSPORTATION AND UTILITIES SUBCOMMITTEE  
Vacancy, Chairperson; Bedford, Hale, Vacancy.

TRAFFIC REGULATIONS AND RAILWAYS SUBCOMMITTEE  
Hale, Chairperson; Davidson, Vacancy.

**HEALTH AND HUMAN RESOURCES**

Biddle, Chairperson; Escott-Russell, Vice Chairperson; Bedford, Butler, Davidson, Lindsey, McClain, Steele, Waggoner [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Eloise Nichols, 242-7890.

MENTAL HEALTH SUBCOMMITTEE  
Steele, Chairperson; Butler, Vacancy.

RIGHTS OF ALABAMA'S DISABILITY COMMUNITY SUBCOMMITTEE  
Mitchell, Chairperson; Biddle, Vacancy.

WELFARE REFORM SUBCOMMITTEE  
Waggoner, Chairperson; McClain, Vacancy.

**AGRICULTURE AND FORESTRY**

Myers, Chairperson; Lipscomb, Vice Chairperson; Adams, Barron, Butler, Denton, Hill, Mitchem, Steele [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Kay Dierlam, 242-7098.

ANIMAL AGRICULTURE SUBCOMMITTEE  
Barron, Chairperson; Myers, Vacancy.

CROPS AND NURSERIES SUBCOMMITTEE  
Lipscomb, Chairperson; Butler, Denton.

FORESTRY DEVELOPMENT AND PRESERVATION SUBCOMMITTEE  
Hill, Chairperson; Adams, Mitchem.

**TOURISM AND MARKETING**

Langford, Chairperson; Myers, Vice Chairperson; Barron, Clay, Figures, Lindsey, McClain [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Rosalyn Grace, 242-7878.

COLLEGE SPORTS, PROFESSIONAL SPORTS, AND AUTO RACING SUBCOMMITTEE  
Vacancy, Vacancy, Vacancy.

HISTORICAL PRESERVATION SUBCOMMITTEE  
Vacancy, Vacancy, Vacancy.

THEATER AND FINE ARTS SUBCOMMITTEE  
Vacancy, Vacancy, Vacancy.

STATE PARKS, CONVENTION AND VISITORS BUREAUS, ATTRACTIONS, ACCOMMODATIONS, AND MUSEUMS SUBCOMMITTEE

Vacancy, Vacancy, Vacancy.

**BUSINESS AND LABOR**

Amari, Chairperson; Langford, Vice Chairperson; Bedford, Clay, Escott-Russell, Ghee, Myers, Smith, Smitherman [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Julia McRae, 242-7875.

DEPARTMENT OF LABOR AND DEPARTMENT OF INDUSTRIAL RELATIONS SUBCOMMITTEE

Myers, Chairperson; Bedford, Smith.

REFORMING ALABAMA'S WORKERS' COMPENSATION LAWS SUBCOMMITTEE

Amari, Chairperson; Clay, Langford.

UNEMPLOYMENT COMPENSATION AND JOB PLACEMENT SUBCOMMITTEE

Escott-Russell, Chairperson; Ghee, Smitherman.

**VETERANS AND MILITARY AFFAIRS**

Adams, Chairperson; Butler, Clay, Dixon, Ghee, Langford, Lipscomb, McClain, Smith [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Nita Hicks, 242-7881.

ALABAMA NATIONAL GUARD AND RESERVE SUBCOMMITTEE

Lipscomb, Chairperson; Vacancy, Vacancy.

RETENTION OF ALABAMA MILITARY BASES SUBCOMMITTEE

Adams, Chairperson; Langford, Vacancy.

RIGHTS OF VETERANS SUBCOMMITTEE

Dixon, Chairperson; Vacancy, Vacancy.

**FINANCE AND TAXATION GENERAL FUND**

Barron, Chairperson; Armistead, Vice Chairperson; Bailey, Bedford, Clay, Davidson, Dixon, Escott-Russell, Figures, Langford, McClain, Mitchem, Smith, Steele [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Louise Fenn, 242-7861.

HEALTH AND HUMAN SERVICES SUBCOMMITTEE

Dixon, Chairperson; Davidson, Vacancy, Vacancy.

LEGISLATIVE, JUDICIAL, AND GENERAL GOVERNMENT SUBCOMMITTEE

Bedford, Chairperson; Armistead, Vacancy, Vacancy.



**TRANSPORTATION, AGRICULTURE, NATURAL RESOURCES,  
AND ECONOMIC DEVELOPMENT SUBCOMMITTEE**

Mitchem, Chairperson; Davidson, Smith, Vacancy.

**FINANCE AND TAXATION EDUCATION**

Sanders, Chairperson; Bailey, Vice Chairperson; Bedford, Butler, Denton, Ghee, Hill, Langford, Little, Mitchem, Poole, Roberts, Smitherman, Steele [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Sharon Calhoun, 242-7859.

**K-12 EDUCATION SUBCOMMITTEE**

Ghee, Chairperson; Hill, Smitherman, Vacancy, Vacancy.

**POSTSECONDARY EDUCATION SUBCOMMITTEE**

Langford, Chairperson; Bedford, Little, Poole, Vacancy.

**CONFIRMATIONS**

Mitchem, Chairperson; Davidson, Vice Chairperson; Armistead, Hill, McClain, [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Bobbi Mosely, 242-7853.

**FISCAL RESPONSIBILITY AND ACCOUNTABILITY**

Bailey, Chairperson; Little, Vice Chairperson; Armistead, Butler, Denton, Dixon, Escott-Russell, Hill, Steele, [Mitchell, ex officio voting member per rule 47(b)]. Committee Clerk: Judy Ruffer, 242-7844.

**ACCOUNTABILITY IN THE BUDGET PROCESS SUBCOMMITTEE**

Bailey, Chairperson; Dixon, Vacancy.

**ACCOUNTABILITY FOR STATE EXPENDITURES SUBCOMMITTEE**

Little, Chairperson; Dixon, Vacancy.

**ELIMINATING PRORATION SUBCOMMITTEE**

Dixon, Chairperson; Armistead, Vacancy.

**LOCAL LEGISLATION NO. 1**

Bedford, Chairperson; Davidson, Vice Chairperson; Bailey, Butler, Langford, McClain, Steele. Committee Clerk: Beverly Bushman, 242-7818.

**LOCAL LEGISLATION NO. 2**

McClain, Chairperson; Amari, Vice Chairperson; Biddle, Davidson, Escott-Russell, Smitherman, Waggoner. Committee Clerk: Vickie Simmons, 242-7866.

**LOCAL LEGISLATION NO. 3**

Windom, Chairperson; Myers, Vice Chairperson; Figures, Lipscomb. Committee Clerk: Winks Kelley, 242-7118.

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**COMMITTEE ASSIGNMENTS 1997**  
**ALABAMA STATE SENATE**

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**31st District**

ADAMS, DWIGHT - Chairperson, Veterans and Military Affairs (Chairperson, Retention of Alabama Military Bases subcommittee); Governmental Affairs; Small Business and Rural Development; Agriculture and Forestry (Forestry Development and Preservation subcommittee).

**15th District**

AMARI, JOHN - Chairperson, Business and Labor (Chairperson, Reforming Alabama's Workers' Compensation Laws subcommittee); Vice Chairperson, Judiciary (Chairperson, Judicial and Civil Justice System subcommittee); Vice Chairperson, Banking and Insurance (Chairperson, Banking subcommittee); Vice Chairperson, Local Legislation No. 2.

**14th District**

ARMISTEAD, BILL - Vice Chairperson, Industrial Development and Recruitment (Chairperson, Alabama Development Office subcommittee); Vice Chairperson, Finance and Taxation General Fund (Legislative, Judicial, and General Government subcommittee); Education (Chairperson, Postsecondary and Higher Education subcommittee), (Streamlining the Department of Education subcommittee); Constitution, Campaign Finance, Ethics, and Elections (Chairperson, Election Laws and Voter Participation subcommittee); Confirmations; Fiscal Responsibility and Accountability (Eliminating Proration subcommittee).

**29th District**

BAILEY, CHIP - Chairperson, Fiscal Responsibility and Accountability (Chairperson, Accountability in the Budget Process subcommittee); Vice Chairperson, Finance and Taxation Education; Rules; Education; Constitution, Campaign Finance, Ethics, and Elections (Ethics in Government subcommittee); Conservation, Environment, and Natural Resources (Waterways and Coastal Waters subcommittee); Finance and Taxation General Fund; Local Legislation No. 1.

**8th District**

BARRON, LOWELL - Chairperson, Finance and Taxation General Fund; Agriculture and Forestry (Chairperson, Animal Agriculture subcommittee); Tourism and Marketing.

**6th District**

BEDFORD, ROGER - Chairperson, Judiciary (Chairperson, Law Enforcement and Victims Rights subcommittee); Chairperson, Local Legislation No. 1; Vice Chairperson, Rules; Economic Expansion and Trade; Education (Streamlining the Department of Education subcommittee); Conservation, Environment, and Natural Resources (Fish and Game

subcommittee); Commerce, Transportation, and Utilities (Transportation and Utilities subcommittee); Health and Human Resources; Business and Labor (Department of Labor and Department of Industrial Relations subcommittee); Finance and Taxation General Fund (Chairperson, Legislative, Judicial, and General Government subcommittee); Finance and Taxation Education (Postsecondary Education subcommittee).

**17th District**

BIDDLE, JACK - Chairperson, Health and Human Resources (Rights of Alabama's Disability Community subcommittee); Vice Chairperson, Conservation, Environment, and Natural Resources (Chairperson, Fish and Game subcommittee); Economic Expansion and Trade; Rules; Commerce, Transportation, and Utilities (Chairperson, Mining and Reclamation subcommittee); Local Legislation No. 2.

**2nd District**

BUTLER, TOM - Chairperson, Small Business and Rural Development (Chairperson, Volunteer Fire Fighters and Rescue Workers subcommittee); Constitution, Campaign Finance, Ethics, and Elections; Health and Human Resources (Mental Health subcommittee); Agriculture and Forestry (Crops and Nurseries subcommittee); Veterans and Military Affairs; Finance and Taxation Education; Fiscal Responsibility and Accountability; Local Legislation No. 1.

**28th District**

CLAY, GEORGE - Banking and Insurance (Chairperson, Insurance subcommittee); Small Business and Rural Development; Commerce, Transportation, and Utilities; Tourism and Marketing; Business and Labor (Reforming Alabama's Workers' Compensation Laws subcommittee); Veterans and Military Affairs; Finance and Taxation General Fund.

**5th District**

DAVIDSON, CHARLES - Vice Chairperson, Confirmations; Vice Chairperson, Local Legislation No. 1; Judiciary (Chairperson, Crime and Punishment and Prison Reform subcommittee); Small Business and Rural Development; Commerce, Transportation, and Utilities (Mining and Reclamation subcommittee), (Traffic Regulations and Railways subcommittee); Health and Human Resources; Finance and Taxation General Fund (Health and Human Services subcommittee), (Transportation, Agriculture, Natural Resources, and Economic Development subcommittee); Local Legislation No. 2.

**1st District**

DENTON, BOBBY - Chairperson, Constitution, Campaign Finance, Ethics, and Elections; Rules; Governmental Affairs; Industrial Development and Recruitment; Agriculture and Forestry (Crops and Nurseries subcommittee); Finance and Taxation Education; Fiscal Responsibility and Accountability.

**13th District**  
DIAL, GERALD

**25th District**

DIXON, LARRY - Vice Chairperson, Governmental Affairs (Chairperson, State Administration and State Employees subcommittee); Constitution, Campaign Finance, Ethics, and Elections (Campaign Finance Accountability subcommittee), (Election Laws and Voter Participation subcommittee); Veterans and Military Affairs (Chairperson, Rights of Veterans subcommittee); Finance and Taxation General Fund (Chairperson, Health and Human Services subcommittee); Fiscal Responsibility and Accountability (Accountability in the Budget Process subcommittee), (Accountability for State Expenditures subcommittee), (Chairperson, Eliminating Proration subcommittee).

**20th District**

ESCOTT-RUSSELL, SUNDRA - Vice Chairperson, Health and Human Resources; Judiciary (Chairperson, Violent Acts Against the Elderly and Domestic Violence subcommittee); Conservation, Environment, and Natural Resources (Chairperson, Land, Air, and Water subcommittee), (Waterways and Coastal Waters subcommittee); Banking and Insurance (Banking subcommittee); Business and Labor (Chairperson, Unemployment Compensation and Job Placement subcommittee); Finance and Taxation General Fund; Fiscal Responsibility and Accountability; Local Legislation No. 2.

**33rd District**

FIGURES, VIVIAN DAVIS - Judiciary; Education; Constitution, Campaign Finance, Ethics & Elections; Tourism and Marketing; Finance and Taxation General Fund; Local Legislation No. 3.

**7th District**

FREEMAN, DEWAYNE - Chairperson, Economic Expansion and Trade; Rules.

**12th District**

GHEE, DOUG - Chairperson, Education (Chairperson, Primary and Secondary Education subcommittee); Governmental Affairs; Constitution, Campaign Finance, Ethics, and Elections; Business and Labor (Unemployment Compensation and Job Placement subcommittee); Veterans and Military Affairs; Finance and Taxation Education (Chairperson, K-12 Education subcommittee).

**4th District**

HALE, DON - Chairperson, Commerce, Transportation, and Utilities (Transportation and Utilities subcommittee), (Chairperson, Traffic Regulation and Railways subcommittee); Vice Chairperson, Economic Expansion and Trade.

**11th District**

HILL, DELL - Constitution, Campaign Finance, Ethics, and Elections (Chairperson, Ethics in Government subcommittee); Conservation, Environment, and Natural Resources (Fish and Game subcommittee); Agriculture and Forestry (Chairperson, Forestry Development and Preservation subcommittee); Finance and Taxation Education (K-12 Education subcommittee); Confirmations; Fiscal Responsibility and Accountability.

**26th District**

LANGFORD, CHARLES - Chairperson, Tourism and Marketing; Vice Chairperson, Business and Labor (Reforming Alabama's Workers' Compensation Laws subcommittee); Judiciary; Education (Postsecondary and Higher Education subcommittee); Veterans and Military Affairs (Retention of Alabama Military Bases subcommittee); Finance and Taxation General Fund, Finance and Taxation Education (Chairperson, Postsecondary Education subcommittee); Local Legislation No. 1.

**22nd District**

LINDSEY, PAT - Chairperson, Rules; Judiciary (Crime and Punishment and Prison Reform subcommittee), (Judicial and Civil Justice System subcommittee); Commerce, Transportation, and Utilities (Chairperson, Oil and Gas subcommittee); Health and Human Resources; Tourism and Marketing.

**32nd District**

LIPSCOMB, ALBERT - Vice Chairperson, Agriculture and Forestry (Chairperson, Crops and Nurseries subcommittee); Judiciary (Chairperson, Violence in Schools subcommittee); Education (Primary and Secondary Education subcommittee); Veterans and Military Affairs (Chairperson, Alabama National Guard and Reserve subcommittee); Local Legislation No. 3.

**27th District**

LITTLE, TED - Vice Chairperson, Fiscal Responsibility and Accountability (Chairperson, Accountability for State Expenditures subcommittee); Judiciary (Crime and Punishment and Prison Reform subcommittee), (Law Enforcement and Victims Rights subcommittee); Constitution, Campaign Finance, Ethics, and Elections (Chairperson, Campaign Finance Accountability subcommittee); Small Business and Rural Development; Finance and Taxation Education (Postsecondary Education subcommittee).

**19th District**

McCLAIN, E. B. - Chairperson, Conservation, Environment, and Natural Resources (Land, Air, and Water subcommittee); Chairperson, Local Legislation No. 2; Industrial Development and Recruitment; Commerce, Transportation, and Utilities (Mining and Reclamation subcommittee);

Health and Human Resources (Welfare Reform subcommittee); Tourism and Marketing; Veterans and Military Affairs; Finance and Taxation General Fund; Confirmations; Local Legislation No. 1.

**30th District**

MITCHELL, WENDELL - Senate Floor Leader [Rule 47(b)]; Chairperson, Governmental Affairs; (Chairperson, Rights of Alabama's Disability Community subcommittee, under Health and Human Resources); Ex officio voting member of all standing committees except Local Legislation Nos. 1, 2, and 3 [Rule 47(b)].

**9th District**

MITCHEM, HINTON - Chairperson, Confirmations; Banking and Insurance (Banking subcommittee); Agriculture and Forestry (Forestry Development and Preservation subcommittee); Finance and Taxation General Fund (Chairperson, Transportation, Agriculture, Natural Resources, and Economic Development subcommittee); Finance and Taxation Education.

**34th District**

MYERS, HAP - Chairperson, Agriculture and Forestry (Animal Agriculture subcommittee); Vice Chairperson, Tourism and Marketing; Vice Chairperson, Local Legislation No. 3; Governmental Affairs (Chairperson, Counties and Municipal Governments subcommittee); Industrial Development and Recruitment; Business and Labor (Chairperson, Department of Labor and Department of Industrial Relations subcommittee).

**21st District**

POOLE, PHIL - Constitution, Campaign Finance, Ethics, and Elections (Chairperson, Constitutional Revision subcommittee); Small Business and Rural Development (Volunteer Fire Fighters and Rescue Workers subcommittee); Industrial Development and Recruitment (Chairperson, Economic Recruitment and Research subcommittee); Finance and Taxation Education (Postsecondary Education subcommittee).

**3rd District**

ROBERTS, TOMMY ED - Chairperson, Industrial Development and Recruitment; Banking and Insurance (Insurance subcommittee); Finance and Taxation Education.

**23rd District**

SANDERS, HANK - Chairperson, Finance and Taxation Education; Rules; Judiciary (Violent Acts Against the Elderly and Domestic Violence subcommittee); Small Business and Rural Development.

**10th District**

SMITH, ROY - Vice Chairperson, Small Business and Rural Development; Industrial Development and Recruitment; Business and Labor

(Department of Labor and Department of Industrial Relations subcommittee); Veterans and Military Affairs; Finance and Taxation General Fund (Transportation, Agriculture, Natural Resources subcommittee).

**18th District**

SMITHERMAN, RODGER - Vice Chairperson, Constitution, Campaign Finance, Ethics, and Elections; Economic Expansion and Trade; Rules; Judiciary (Violence in Schools subcommittee), (Judicial and Civil Justice System subcommittee); Governmental Affairs (State Administration and State Employees subcommittee), (Counties and Municipal Governments subcommittee); Industrial Development and Recruitment; Business and Labor (Unemployment Compensation and Job Placement subcommittee); Agriculture and Forestry; Finance and Taxation Education; Finance and Taxation Education (K-12 Education subcommittee); Local Legislation No. 2.

**24th District**

STEELE, CHARLES - Judiciary (Violence in Schools subcommittee), (Law Enforcement and Victims Rights subcommittee); Education (Postsecondary and Higher Education subcommittee); Constitution, Campaign Finance, Ethics, and Elections; Small Business and Rural Development (Chairperson, Rural Development subcommittee); Industrial Development and Recruitment; Commerce, Transportation, and Utilities (Oil and Gas subcommittee); Health and Human Resources (Chairperson, Mental Health subcommittee); Agriculture and Forestry; Finance and Taxation General Fund; Finance and Taxation Education; Fiscal Responsibility and Accountability; Local Legislation No. 1.

**16th District**

WAGGONER, JABO - Vice Chairperson, Education (Chairperson, Streamlining the Department of Education subcommittee); Vice Chairperson, Commerce, Transportation, and Utilities (Oil and Gas subcommittee); Banking and Insurance (Insurance subcommittee); Health and Human Resources (Chairperson, Welfare Reform subcommittee); Local Legislation No. 2.

**35th District**

WINDOM, STEVE - Chairperson, Banking and Insurance; Chairperson, Local Legislation No. 3; Rules; Judiciary (Violent Acts Against the Elderly and Domestic Violence subcommittee); Constitution, Campaign Finance, Ethics, and Elections; Conservation, Environment, and Natural Resources (Land, Air, and Water subcommittee), (Chairperson, Waterways and Coastal Waters subcommittee).

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**HOUSE OF REPRESENTATIVES  
REGULAR SESSION OF 1997  
ALPHABETICAL ROSTER AND DISTRICT NUMBERS**

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Gerald Allen, 62	John R. Hilliard, 60
Locy Baker, 85	Randy Hinshaw, 21
George Bandy, 83	Thomas E. Hogan, 13
Lucius Black, 71	Alvin Holmes, 78
Marcel Black, 3	Perry O. Hooper, Jr., 73
Michael E. Box, 96	Tommy L. Houston, 57
Barbara B. Boyd, 32	Thomas E. Jackson, 68
Ralph Burke, 24	Earnest Johnson, 58
James E. Buskey, 99	Ronald G. Johnson, 33
Jim Carns, 46	Lee Jorgensen, 6
Joe R. Carothers, Jr., 86	Yvonne Kennedy, 97
Tommy Carter, 5	Al Knight, 40
James S. Clark, 84	John F. Knight, Jr., 77
William Clark, 98	Richard J. Laird, 37
Steve Clouse, 93	Allen Layson, 61
Sam Collins, 16	John (Jody) Letson, 7
R. P. (Phil) Crigler, Jr., 105	Richard J. Lindsey, 39
Johnny L. Curry, 15	Edward A. Maull, 67
Mike Dean, 104	Lawrence McAdory, 56
Jeff Dolbare, 65	Thad McClammy, 76
Tom Drake, 11	W. F. (Frank) McDaniel, 26
Bill J. Dukes, 8	Bob McKee, 74
Steve Flowers, 89	Stephen A. McMillan, 95
Joe M. Ford, 28	Bryant Melton, 70
Bill Fuller, 38	Michael J. Millican, 17
Mark L. Gaines, 47	Warren A. Minnifield, 55
Blaine Galliher, 30	Joseph Mitchell, 103
Victor Gaston, 100	Garreth Moore, 91
H. Mac Gipson, Jr., 88	Neal Morrison, 12
Betty Carol Graham, 81	Johnny Mack Morrow, 18
Ken Guin, 14	Albert G. Morton, 45
Albert Hall, 22	Jim Murphree, 27
Laura Hall, 19	Charles O. Newton, 90
James H. Hamilton, 2	Demetrius C. Newton, 53
Seth Hammett, 92	John G. (Jack) Page, 29
James C. Haney, 10	Nelson Papucci, 4
Howard Hawk, 25	Paul Parker, 9
John Hawkins, 48	Tim Parker, 63
Andrew Hayden, 72	Arthur Payne, 44
Mike Hill, 41	Walter E. Penry, Jr., 94



George Perdue, 54  
Tony Petelos, 51  
Chris Pringle, 101  
Thomas Reed, 82  
John Robinson, 23  
John W. Rogers, Jr., 52  
Mike Rogers, 36  
Howard Sanderford, 20  
Allen Sanderson, 43  
Riley Seibenhener, 87  
Larry P. Sims, 35  
Curtis Smith, 42  
Lewis G. Spratt, 59

Nelson R. Starkey, Jr., 1  
Dave Thomas, 49  
James L. Thomas, 69  
Jim Townsend, 50  
J. E. Turner, 102  
Pete Turnham, 79  
Lesley Vance, 80  
Jack B. Venable, 31  
James E. Warren, 64  
Frank P. (Skippy) White, 66  
Gerald Willis, 34  
Greg Wren, 75

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**ROSTER OF THE HOUSE OF REPRESENTATIVES  
OF ALABAMA  
REGULAR SESSION OF 1997**

**OFFICERS**

JAMES S. CLARK, *Speaker*, Eufaula

SETH HAMMETT, *Speaker Pro Tempore*, Andalusia

WILLIAM G. (GREG) PAPPAS, *Clerk*, Montgomery

DON LADNER, *Administrative Assistant*, Montgomery

VANNAH W. NORRELL, *Chief Clerk*, Montgomery

**MEMBERS OF THE HOUSE**

Dist. Nos.	Counties & Names	Addresses
1	LAUDERDALE Nelson R. Starkey, Jr. ....	158 Cedarcrest Drive, Florence 35630
2	LAUDERDALE James H. Hamilton .....	Route 3, Box 273-C, Rogersville 35652
3	COLBERT Marcel Black .....	P.O. Box 491, Tuscumbia 35674
4	LIMESTONE, MADISON, MORGAN Nelson Papucci .....	P. O. Box 541, Madison 35758
5	LIMESTONE Tommy Carter .....	18216 Upper Fort Hampton Road Elkmont 35620
6	LIMESTONE, MADISON Lee Jorgensen .....	P. O. Box 1245, Madison 35758
7	LAWRENCE, WINSTON John "Jody" Letson .....	15720 County Road 400, Hillsboro 35643
8	MORGAN Bill J. Dukes .....	2209 Parkplace Street, S.E., Decatur 35601
9	MORGAN Paul Parker .....	606 Douglas Drive, N.W., Hartselle 35640



- |    |  |
|----|--|
| 25 | MARSHALL<br>Howard Hawk ..... 221 Cullman Road, Arab 35016                                     |
| 26 | DEKALB, MARSHALL<br>W.F. (Frank) McDaniel ..... P.O. Box 577, Albertville 35950                |
| 27 | BLOUNT<br>Jim Murphree ..... P. O. Box 1116, Oneonta 35121                                     |
| 28 | ETOWAH<br>Joe M. Ford .... Gadsden State Community College, P.O. Box 227<br>Gadsden 35902-0227 |
| 29 | ETOWAH<br>John G. (Jack) Page ..... 314 Haralson Avenue, Gadsden 35901                         |
| 30 | ETOWAH, ST. CLAIR<br>Blaine Galliher ..... P. O. Box 4353, Gadsden 35901-4353                  |
| 31 | COOSA, ELMORE<br>Jack B. Venable ..... P.O. Box 736, Tallassee 36078                           |
| 32 | CALHOUN, TALLADEGA<br>Barbara B. Boyd ..... 2222 McDaniel Avenue, Anniston 36201               |
| 33 | TALLADEGA<br>Ronald G. Johnson ..... 3770 Sylacauga-Fayette Highway<br>Sylacauga 35150         |
| 34 | CALHOUN<br>Gerald Willis ..... 15695 Alabama Highway 9, Piedmont 36272                         |
| 35 | CALHOUN, TALLADEGA<br>Larry P. Sims ..... 540 Mahaffy Road, Eastaboga 36260                    |
| 36 | CALHOUN<br>Mike Rogers ..... 51 Pawnee Drive, Anniston 36206                                   |
| 37 | CHAMBERS, CLAY, RANDOLPH<br>Richard J. Laird ..... 341 Bonner Drive, Roanoke 36274             |
| 38 | CHAMBERS, LEE<br>Bill Fuller, Jr. .... P.O. Box 317, LaFayette 36862                           |
| 39 | CHEROKEE, CLEBURNE, DEKALB<br>Richard J. Lindsey ..... Route 2, Box 394, Centre 35960          |

REGULAR SESSION  
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3379

- 40 BIBB, SHELBY  
Al Knight ..... P.O. Box 1994, Pelham 35124
- 41 SHELBY  
Mike Hill ..... 114 Arlington Street, Columbiana 35051
- 42 CHILTON, SHELBY  
Curtis Smith ..... 16131 Highway 22, Clanton 35045
- 43 JEFFERSON  
Allen Sanderson ..... 502 Euclid Avenue, Birmingham 35213
- 44 JEFFERSON  
Arthur Payne ..... 2825 Second Street, N.W., Birmingham 35215
- 45 JEFFERSON  
Albert G. Morton ..... 833 Zellmark Drive, Birmingham 35235
- 46 JEFFERSON, SHELBY  
Jim Carns ..... 3 Office Park Circle, Suite 120, Birmingham 35223
- 47 JEFFERSON, SHELBY  
Mark L. Gaines ..... 301 Morris Boulevard, Homewood 35209
- 48 JEFFERSON  
John Hawkins ..... 1841 Montclair Drive, Birmingham 35216
- 49 ST. CLAIR  
Dave Thomas ..... 49 Forman Street, Springville 35146
- 50 JEFFERSON  
Jim Townsend ..... 5544 Lazy Acres Trail, Pinson 35126
- 51 JEFFERSON  
Tony Petelos ..... P.O. Box 40, Pleasant Grove 35127
- 52 JEFFERSON  
John W. Rogers, Jr. ... 1424 18th Street, S.W., Birmingham 35211
- 53 JEFFERSON  
Demetrius C. Newton ..... P. O. Box 2525, Birmingham 35202
- 54 JEFFERSON  
George Perdue ..... P.O. Box 2473, Birmingham 35201

- |    |  |  |
|----|--|--|
| 55 | JEFFERSON<br>Warren A. Minnifield .....                              | 703 Miles Circle, Fairfield 35064              |
| 56 | JEFFERSON<br>Lawrence McAdory .....                                  | 1000 Barclay Drive, Bessemer 35023             |
| 57 | JEFFERSON<br>Tommie L. Houston .....                                 | 3709 Howard Avenue, S.W.<br>Birmingham 35221   |
| 58 | JEFFERSON<br>Earnest Johnson .....                                   | 8531 Zion City Road, North<br>Birmingham 35206 |
| 59 | JEFFERSON<br>Lewis G. Spratt .....                                   | 3809 Fourth Street, West, Birmingham 35207     |
| 60 | JEFFERSON<br>John R. Hilliard .....                                  | 711 21st Avenue, W., Birmingham 35204          |
| 61 | PICKENS, TUSCALOOSA<br>Allen Layson .....                            | P.O. Box 910, Reform 35481                     |
| 62 | HALE, TUSCALOOSA<br>Gerald Allen .....                               | P.O. Box 71001, Tuscaloosa 35407               |
| 63 | TUSCALOOSA<br>Tim Parker .....                                       | P.O. Box 020908, Tuscaloosa 35402-0908         |
| 64 | BALDWIN, CONECUH, MONROE<br>James E. Warren .....                    | P.O. Box 207, Castleberry 36432                |
| 65 | CHOCTAW, CLARKE, WASHINGTON<br>Jeff Dolbare .....                    | Star Route, Box 17, Bigbee 36510               |
| 66 | BALDWIN, ESCAMBIA<br>Frank P. (Skippy) White .....                   | 1416 Elizabeth Avenue, Pollard 36441           |
| 67 | DALLAS<br>Edward A. Maull .....                                      | 2002 4th Avenue, Selma 36703                   |
| 68 | CHOCTAW, CLARKE, CONECUH, MARENGO, MONROE<br>Thomas E. Jackson ..... | P. O. Box 656, Thomasville 36784-0656          |
| 69 | DALLAS, LOWNDES, WILCOX<br>James L. Thomas .....                     | 2713 Highway 14, East, Selma 36701             |

REGULAR SESSION  
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3381

- 70 TUSCALOOSA  
Bryant Melton ..... 5003 4th Avenue, Tuscaloosa 35405
- 71 GREENE, MARENGO, SUMTER  
Lucius Black ..... P.O. Box 284, York 36925
- 72 HALE, MARENGO, PERRY, TUSCALOOSA  
Andrew Hayden ..... P.O. Box 514, Uniontown 36786
- 73 MONTGOMERY  
Perry O. Hooper, Jr. .... 4525 Executive Park Drive  
Montgomery 36116-1600
- 74 MONTGOMERY  
Bob McKee ..... P.O. Box 424, Montgomery 36101
- 75 ELMORE, MONTGOMERY  
Greg Wren ..... 4211 Carmichael Road, Montgomery 36106
- 76 MONTGOMERY  
Thad McClammy .... P. O. Box 250776, Montgomery 36125-0776
- 77 MONTGOMERY  
John F. Knight, Jr. .... P.O. Box 6148, Montgomery 36106
- 78 MONTGOMERY  
Alvin Holmes ..... P.O. Box 6064, Montgomery 36106
- 79 LEE  
Pete Turnham ..... P.O. Box 3490, Auburn 36831-3490
- 80 LEE, RUSSELL  
Lesley Vance ..... P.O. Box 1429, Phenix City 36868
- 81 TALLAPOOSA  
Betty Carol Graham ..... 3485 Cowpens Road  
Alexander City 35010
- 82 BULLOCK, LEE, MACON  
Thomas Reed ..... P.O. Box 1324, Tuskegee 36087
- 83 LEE, RUSSELL  
George Bandy ..... 1307 Glenn Circle, Opelika 36801
- 84 BARBOUR, HENRY  
James S. Clark ..... P.O. Box 71, Eufaula 36072

- 85     DALE, HENRY, HOUSTON  
Locy Baker ..... 115 Bryant Street, Abbeville 36310
- 86     HOUSTON  
Joe R. Carothers, Jr. .... 2916 Taylor Road, Dothan 36301
- 87     GENEVA, HOUSTON  
Riley Seibenhener ..... Route 2, Box 166A, Hartford 36344
- 88     AUTAUGA, ELMORE  
H. Mac Gipson, Jr. .... 1119 Pates Mill Lane, Prattville 36067
- 89     DALE, PIKE  
Steve Flowers ..... P.O. Box 973, Troy 36081
- 90     BUTLER, CRENSHAW, LOWNDES  
Charles O. Newton ..... 760 South Conecuh Street  
Greenville 36037
- 91     COFFEE  
Garreth Moore ..... 504 Candlewood Drive, Enterprise 36330
- 92     COVINGTON  
Seth Hammett ..... P.O. Box 1776, Andalusia 36420
- 93     DALE, HOUSTON  
Steve Clouse ..... P. O. Box 818, Ozark 36361
- 94     BALDWIN  
Walter E. Penry, Jr. .... 12040 County Road 54, Daphne 36526
- 95     BALDWIN  
Stephen A. McMillan ..... P.O. Box 337, Bay Minette 36507
- 96     MOBILE  
Michael E. Box ..... 104 South Lawrence Street, Mobile 36602
- 97     MOBILE  
Yvonne Kennedy ..... 1205 Glennon Avenue, Mobile 36603
- 98     MOBILE  
William Clark ..... 711 South Atmore Avenue, Prichard 36612
- 99     MOBILE  
James E. Buskey ..... 2207 Barretts Lane, Mobile 36617



- 100 MOBILE  
Victor Gaston ..... 864 Parkwood Drive, West, Mobile 36608
- 101 MOBILE  
Chris Pringle ..... P. O. Box 8342, Mobile 36689
- 102 MOBILE  
J. E. Turner .....P. O. Box 21090, Citronelle 36522
- 103 MOBILE  
Joseph Mitchell ..... 465 Dexter Avenue, Mobile 36604
- 104 MOBILE  
Mike Dean ..... 3705 Scenic Drive, Mobile 36605
- 105 MOBILE  
R. P. (Phil) Crigler, Jr ..... 8040 Shannon Drive, Irvington 36544
-

**STANDING COMMITTEES  
HOUSE OF REPRESENTATIVES  
OF ALABAMA 1997**

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**RULES**

Carter, Chairperson, Ford, Vice Chairperson, Buskey, Carns, Clark (W), Hall (A), Hilliard, Hooper, Johnson (R), McKee, Reed, Sanderson, Turner, Warren, White. Executive Assistant: Marsha Golden, 242-7673

**WAYS AND MEANS**

Fuller, Chairperson, Turnham, Vice Chairperson, Burke, Carothers, Curry, Haney, Hawkins, Kennedy, Knight (J), Morton, Parker (T), Penry, Rogers (J), Starkey, Thomas (J). Committee Clerk: Dianne Boman, 242-7661

**JUDICIARY**

Newton (D), Chairperson, Petelos, Vice Chairperson, Black (L), Black (M), Box, Boyd, Clouse, Gaines, Graham, Guin, Hall (L), Hawk, Morrison, Papucci, Rogers (M). Executive Assistant: Patricia Aldridge, 242-7666

**STATE ADMINISTRATION**

Hooper, Chairperson, McDaniel, Vice Chairperson, Baker, Collins, Dean, Gipson, Hogan, Houston, Johnson (E), Laird, Maull, McMillan, Page, Townsend, Wren. Committee Clerk: Peggy Powell, 242-7624

**BUSINESS AND LABOR**

Gaines, Chairperson, Kennedy, Vice Chairperson, Carns, Dean, Hill, Laird, Layson, Maull, McDaniel, Melton, Mitchell, Morrison, Murphree, Seibenhener, Willis. Committee Clerk: Allison Wallis, 242-7622

**HEALTH**

Flowers, Chairperson, Sanderson, Vice Chairperson, Gaston, Graham, Hall (L), Hinshaw, Jackson, Johnson (R), McAdory, McClammy, Millican, Pringle, Sims, Vance, Wren. Committee Clerk: Helen Jordan, 242-7618

**BANKING**

Hill, Chairperson, Newton (C), Vice Chairperson, Ford, Gipson, Hall (A), Knight (A), McAdory, McClammy, Minnifield, Morrow, Page, Petelos, Robinson, Sanderford, Thomas (J). Committee Clerk: Helen Jordan, 242-7618

**INSURANCE**

Laird, Chairperson, Buskey, Vice Chairperson, Clouse, Flowers,

Hilliard, Jorgensen, Layson, McKee, Minnifield, Murphree, Robinson, Spratt, Townsend, Willis, Wren. Committee Clerk: Peggy Powell, 242-7624

### **EDUCATION**

Parker (P), Chairperson, Hawkins, Vice Chairperson, Bandy, Boyd, Crigler, Dolbare, Graham, Hawk, McAdory, McMillan, Mitchell, Morton, Parker (T), Smith, Thomas (D). Committee Clerk: Susie Boyd, 242-7619

### **AGRICULTURE, FORESTRY & NATURAL RESOURCES**

Lindsey, Chairperson, Smith, Vice Chairperson, Baker, Crigler, Hamilton, Hayden, Jackson, Layson, Maull, Millican, Robinson, Sanderford, Seibenhener, Sims, Warren. Committee Clerk: Helen Jordan, 242-7618

### **PUBLIC WELFARE**

Reed, Chairperson, Millican, Vice Chairperson, Allen, Bandy, Buskey, Dolbare, Drake, Gaines, Hogan, Jorgensen, Letson, Morrison, Sims, Thomas (D), Townsend. Committee Clerk: Georgia Arrington, 242-7625

### **CONSTITUTION AND ELECTIONS**

Venable, Chairperson, McMillan, Vice Chairperson, Baker, Black (M), Box, Boyd, Curry, Newton (C), Perdue, Pringle, Rogers (M), Smith, Spratt, Thomas (D), Willis. Committee Clerk: Linda Gamper, 242-7617

### **COMMERCE, TRANSPORTATION & UTILITIES**

Knight (A), Chairperson, McDaniel, Vice Chairperson, Black (L), Burke, Ford, Gaston, Guin, Hammett, Hilliard, Hooper, Lindsey, Minnifield, Moore, Rogers (J), Sanderson. Committee Clerk: Linda Gamper, 242-7617

### **INDUSTRIAL DEVELOPMENT & ECONOMIC GROWTH**

Carns, Chairperson, Hall (L), Vice Chairperson, Allen, Burke, Dukes, Galliher, Hamilton, Hayden, Jorgensen, Kennedy, Melton, Moore, Rogers (M), Sanderford, Starkey. Committee Clerk: Linda Gamper, 242-7617

### **LOCAL GOVERNMENT**

Dukes, Chairperson, Collins, Vice Chairperson, Bandy, Carothers, Clouse, Hamilton, Hawkins, Hayden, Hill, Houston, Knight (J), Letson, Moore, Payne, Vacancy. Committee Clerk: Georgia Arrington, 242-7625

### **MILITARY AFFAIRS**

Melton, Chairperson, Vance, Vice Chairperson, Clouse, Dean, Dukes, Hawk, Hinshaw, Holmes, McClammy, Newton (D), Papucci, Parker (P), Pringle, Sanderford, Seibenhener. Committee Clerk: Susie Boyd, 242-7619

### **HIGHWAY SAFETY**

Spratt, Chairperson, Johnson (R), Vice Chairperson, Crigler, Drake, Galliher, Holmes, Jackson, Jorgensen, Knight (A), Lindsey, Newton (C), Parker (P), Payne, Penry, Perdue. Committee Clerk: Georgia Arrington, 242-7625

### **SMALL BUSINESS**

Knight (J), Chairperson, Willis, Vice Chairperson, Curry, Gipson, Haney, Hogan, Houston, Johnson (E), McDaniel, McKee, Morton, Murphree, Payne, Perdue, Vance. Committee Clerk: Jackie Tymes, 242-7918

### **OIL AND GAS**

Gaston, Chairperson, Clark (W), Vice Chairperson, Allen, Buskey, Collins, Dean, Dolbare, Galliher, Guin, Johnson (E), Mitchell, Penry, Petelos, Turner, White. Committee Clerk: Peggy Powell, 242-7624

### **TOURISM, ENTERTAINMENT & SPORTS**

Ford, Chairperson, Turner, Vice Chairperson, Baker, Black (M), Clark (W), Dean, Hinshaw, Letson, Minnifield, Morrow, Papucci, Reed, Rogers (J), Spratt, Thomas (J). Committee Clerk: Sarah Lewis, 242-7621.

### **NAVIGATION & WATERWAYS**

Box, Chairperson, Black (L), Vice Chairperson, Carothers, Crigler, Hall (A), Haney, Jackson, McKee, Newton (D), Page, Parker (T), Payne, Reed, Townsend, Warren. Committee Clerk: Susie Boyd, 242-7619

### **LOCAL LEGISLATION NO. 1**

Baker, Chairperson, White, Vice Chairperson, Clouse, Collins, Drake, Jackson, Letson, Maull, Moore, Morrow, Penry, Rogers (M), Seibenhener, Starkey, Thomas (J). Committee Clerk: Sara Lewis, 242-7621

### **LOCAL LEGISLATION NO. 2**

#### **JEFFERSON COUNTY**

Minnifield, Chairperson (1997-98), Petelos, Chairperson (1995-96), Carns, Curry, Gaines, Hawkins, Hilliard, Houston, Johnson (E), McAdory, Morton, Newton (D), Payne, Perdue, Rogers (J), Sanderson, Spratt, Townsend. Committee Clerk: Beth Thacker, 242-7620; Jackie Tymes, 242-7918

### **LOCAL LEGISLATION NO. 3**

#### **MOBILE COUNTY**

Clark (W), Chairperson, Buskey, Vice Chairperson, Box, Crigler, Dean, Gaston, Kennedy, Mitchell, Pringle, Turner. Committee Clerk: Linda Gamper, 242-7617

**LOCAL LEGISLATION NO. 4  
MADISON COUNTY**

Hall (A), Chairperson, Sanderford, Vice Chairperson, Hall (L), Haney, Hinshaw, Jorgensen, Papucci. Committee Clerk: Helen Jordan, 242-7618

**LOCAL LEGISLATION NO. 5  
MONTGOMERY COUNTY**

McKee, Chairperson (1997-98), Holmes, Chairperson (1995-96), Hooper, Knight (J), McClammy, Wren. Committee Clerk: Allison Wallis, 242-7622

**LOCAL LEGISLATION NO. 6  
TUSCALOOSA COUNTY**

Parker (T), Chairperson, Layson, Vice Chairperson, Allen, Guin, Hayden, Melton. Committee Clerk: Georgia Arrington, 242-7625

**LOCAL LEGISLATION NO. 7  
SHELBY COUNTY**

Hill, Chairperson, Gaines, Vice Chairperson, Carns, Curry, Knight (A), Smith. Committee Clerk: Helen Jordan, 242-7618

**LOCAL LEGISLATION NO. 8  
LEE COUNTY**

Turnham, Chairperson, Bandy, Vice Chairperson, Fuller, Reed, Vance. Committee Clerk: Sara Lewis, 242-7621

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**LEGISLATIVE DAYS  
REGULAR SESSION 1997**

*Legislative Days - Calendar Days*

FIRST DAY - Tuesday, February 4, 1997	3
SECOND DAY - Thursday, February 6, 1997	89
THIRD DAY - Wednesday, February 12, 1997	147
FOURTH DAY - Thursday, February 13, 1997	205
FIFTH DAY - Tuesday, February 18, 1997	340
SIXTH DAY - Thursday, February 20, 1997	437
SEVENTH DAY - Tuesday, February 25, 1997	490
EIGHTH DAY - Thursday, February 27, 1997	556
NINTH DAY - Tuesday, March 4, 1997	634
TENTH DAY - Thursday, March 6, 1997	710
ELEVENTH DAY - Tuesday, March 11, 1997	764
TWELFTH DAY - Thursday, March 13, 1997	862
THIRTEENTH DAY - Tuesday, March 18, 1997	927
FOURTEENTH DAY - Wednesday, March 19, 1997	948
FIFTEENTH DAY - Thursday, March 20, 1997	975
SIXTEENTH DAY - Tuesday, March 25, 1997	1008
SEVENTEENTH DAY - Thursday, March 27, 1997	1133
EIGHTEENTH DAY - Tuesday, April 8, 1997	1185
NINETEENTH DAY - Thursday, April 10, 1997	1312
TWENTIETH DAY - Tuesday, April 15, 1997	1491
TWENTY-FIRST DAY - Thursday, April 17, 1997	1514
TWENTY-SECOND DAY - Tuesday, April 22, 1997	1635
TWENTY-THIRD DAY - Wednesday, April 23, 1997	1662
TWENTY-FOURTH DAY - Thursday, April 24, 1997	1701
TWENTY-FIFTH DAY - Tuesday, April 29, 1997	1926
TWENTY-SIXTH DAY - Thursday, May 1, 1997	2095
TWENTY-SEVENTH DAY - Tuesday, May 6, 1997	2187
TWENTY-EIGHTH DAY - Wednesday, May 7, 1997	2383
TWENTY-NINTH DAY - Thursday, May 8, 1997	2518
THIRTIETH DAY - Monday, May 19, 1997	2625

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Partial-birth, banned under certain conditions, exceptions based on medical reasons, penalties -  
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SB 375, page 159

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Act no. 1996-471, local taxes to conform to state, collection by revenue department, forms altered -  
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Act no. 1996-539, colleges and universities, including two-year institutions, facilities master plan, approval of new facilities by joint fiscal committee -  
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Act no. 1996-572, employees' retirement system, cost-of-living increase authorized for certain members, including beneficiaries of members employed by Auburn university or its cooperative extension service -

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Act no. 1996-645, state employees suggestion award program, maximum award altered -

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Act no. 1996-651, patient protection act of 1997 established -

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Act no. 1996-692, insurance department fund, distribution of proceeds for deposit clarified -

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Class 5 municipalities, city council authorized to alter structure of membership of municipality -  
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State agencies, volunteer workers, board authorized to pay claims for personal injury or death -  
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#### ADMINISTRATIVE LAW AND PROCEDURE

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State health planning and development agency, certificate of need process, review procedure -  
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## ADMINISTRATIVE PROCEDURE

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Office of administrative hearings established, judges appointed to hear cases of state agencies under administrative procedure act -  
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State health planning and development agency exempt from administrative procedure act, certain review processes eliminated -  
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## ADOPTION

Foreign adoption agencies, regulations -  
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## ADULT PROTECTIVE SERVICES ACT

Definition of protected person, residence in nursing home, mentally retarded center, other facilities is prima facie evidence of -  
SB 365, pages 157, 1888

Nursing home residents and other institutions, persons presumed protected persons under, nursing home abuse or theft from residents investigated by health department -  
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Dental examiners board, reinstatement penalty fees increased, advertising requirements clarified, dental referral service regulated -  
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Fair campaign practices commission established, false political advertising prohibited, duties, penalties -  
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Political advertisements, false or misleading statements prohibited, fair campaign advertising commission established, authorized to review and approve -  
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Distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
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Discrimination in employment based on age prohibited -  
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Fishing, commercial fishing license, person age 65 or older exempt -  
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Natural death act, advance directive for health care and living will -  
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Nursing home residents and other institutions, persons presumed protected persons under adult protection services act, nursing home abuse or theft from residents investigated by health department -  
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#### AGENTS AND AGENCIES

Insurance, agents and brokers examination and fees, administration of examination by any Alabama institution of higher education

tion, fees by commissioner of insurance, limited -  
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Service contracts regulated for consumer protection, reimbursement  
insurance policies regulated, insurance commissioner to administer -  
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Alabama cotton producers, distinctive license plate authorized, distribution of funds to Alabama cotton commission -  
HB 153, pages 1707, 2141, 3321, 3349, Act no. 97-469

Farmers' market authority authorized to lease, dispose of, and sell real property, membership, issuance of bonds altered, tax exempt, duties, funds -  
SB 94, pages 32, 136, 411, 431, 1827, 1829, 1918

Right-of-way property, former owner may collect produce that falls from trees on adjacent property -  
HB 453, pages 618, 791

Sales and use tax, food exempt, state rate increase phased in, counties and municipalities may not raise rates -  
SB 433, page 352

Trucks used by farmers, tag for trucks and truck tractors up to 80,001 pounds and over -  
HB 344, pages 1129, 2140

## AGRICULTURE AND INDUSTRIES DEPARTMENT

Appropriation -  
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Attorney general, department of corrections, finance department, various state agencies, supplemental appropriation -  
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Ratites, ostriches, assessments levied for promotional programs -  
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Ratites, ostriches, assessments levied for promotional programs,  
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#### AIDS TASK FORCE OF ALABAMA, INCORPORATED

Appropriation -  
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#### ALABAMA-COOSA-TALLAPOOSA RIVER BASIN COMPACT

Established -  
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#### ALABAMA DEVELOPMENT OFFICE

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#### ALABAMA FOSTER CARE ASSOCIATION

Motor vehicles, foster care association or, distinctive license plates,  
distribution of fees, duties to revenue department, appropriation -  
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#### ALABAMA INSTITUTE FOR DEAF AND BLIND

Educational institutions, boards of education and those under state  
board of education, posting of notices for job openings required -  
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#### ALABAMA STATE UNIVERSITY

Board of trustees membership, age restriction deleted -  
SB 408, pages 346, 677, 855, 892

## ALABAMA'S JUNIOR MISS PAGEANT

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## ALARM SYSTEMS

Security board of licensure established to regulate alarm system installers, fire system installers, and locksmiths, licensing process, fund established, penalties -

SB 57, pages 24, 185, 411, 413, 414, 421, 1282, 1296, 1486, 1488, 1723, 1815, 1887, 3176, 3330, 3357, Act no. 97-711

## ALCOHOLIC BEVERAGE CONTROL BOARD

Alcoholic beverages, beer and wine for personal or family use, production of authorized under certain conditions, penalties -  
SB 4, page 10

Alcoholic beverages, licensees permitted to sell at retail for on-premises consumption shall maintain certain amount of liability insurance, alcoholic beverage control board to administer -  
SB 291, pages 83, 127

Authorized to purchase and own property -  
SB 520, pages 641, 934

Cigarettes and other tobacco, sales to minors, alcoholic beverage control board to enforce, penalties on sales and purchases -  
SB 300, pages 112, 373, 545, 622, 685, 687, 697, 700, 2520, 2577, 2624, Act no. 97-423

Required to hold public hearings on licenses for businesses within certain distance from schools, churches or day care centers -  
SB 146, pages 47, 141

Special license established for golf courses -  
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## ALCOHOLIC BEVERAGES

Alcoholic beverage control board required to hold public hearings



on licenses for businesses within certain distance from schools,  
churches or day care centers -  
SB 146, pages 47, 141

Beer and wine for personal or family use, production of authorized  
under certain conditions, penalties -  
SB 4, page 10

Beer, definition of, for regulation and control altered -  
SB 260, pages 74, 140, 546, 623, 687, 724, 855, 893, 1227,  
1276, 1277, 2511, 2543, 2624, Act no. 97-419

Beer, sampling at certain industry-related trade functions autho-  
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Boats, driving under the influence, blood alcohol level lowered to  
.08 percent -  
HB 146, page 565

Driving under the influence, distinctive license plates for multiple  
driving under the influence offenders, exemption for comple-  
tion of chemical dependency program, mandatory imprison-  
ment for fourth offense -  
SB 451, pages 448, 787, 892

Driving under the influence, sentence enhanced if a child under the  
age of fourteen is present in the vehicle at time of arrest -  
SB 60, pages 24, 133, 854, 892

Education, students with illegal drugs, alcohol, or deadly weapon  
expelled for one school year, attendance of alternative school -  
SB 58, page 24

Golf courses, special alcoholic beverage license authorized by al-  
coholic beverage control board -  
SB 560, pages 928, 1155, 1937, 2216  
SB 625, pages 1138, 1218

Licensees permitted to sell at retail for on-premises consumption  
shall maintain certain amount of liability insurance, alcoholic  
beverage control board to administer -  
SB 291, pages 83, 127

Malt or brewed beverages, stamps, crowns, or lids affixed thereto, removed -

SB 250, pages 72, 139, 410, 412, 864, 886, 925, Act no. 97-146

Motor vehicles, accidents resulting in death, mandatory tests to drivers, penalties for refusal, appeals process -

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Motor vehicles, driving under the influence offenders, issuance of distinctive driver's license under certain conditions, additional fee -

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Prohibition against minors serving or dispensing eliminated -

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Wine suppliers and wholesalers, business relationships regulated, territories established -

SB 294, pages 84, 135

Wine, fortified wine and native farm wine, alcohol content increased -

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Emergency medical service organizations, sales and use tax exempt -

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## AMERICA'S JUNIOR MISS PAGEANT

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Teachers' retirement system, reopened for prior service with -

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Cruelty to, misdemeanor and felony, criminal acts defined, punishment, civil procedures, hearing in district court, notice, remedies -  
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Hunting, deer hunting with dogs prohibited on property of another without permission, discharging firearm across road, penalty increased, arrest procedure -  
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Motor vehicles, conservation and natural resources department, distinctive license plates, animal design, distribution of fees, duties to revenue department, appropriation -  
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Ratites, ostriches, assessments levied for promotional programs -  
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Ratites, ostriches, assessments levied for promotional programs, CA -  
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ANNISTON FELLOWSHIP HOUSE, INCORPORATED

Wings of life, incorporated, Jacksonville Christian outreach center, incorporated, Do Da parade, Lee county human society, Huntsville emergency medical services, and, incorporated, sales and use tax exempt -  
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Agriculture and industries department, conditional -  
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Alabama's junior miss pageant -  
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America's junior miss pageant -  
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Boards of education, city or county, may use capital outlay ap-

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Child labor laws, duties transferred from industrial relations department to labor department -

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Children first trust fund established, funding from cigarette tax increase, distribution -

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Children's advocacy centers, incorporated -

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Children's and women's hospital, Mobile -

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Children's hands-on museum -

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Citizenship trust, distinctive license plates authorized -

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Prisons, state or county may require certain assets of prisoners as reimbursement for costs of confinement, circuit court jurisdiction, attorney general powers, distribution to general fund of state or county -

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Auctioneers, board of, sales at auction regulated, membership, penalties -  
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Cellular radio telecommunication service tax, revenues appropriated for payment of principal and interest on bonds of Alabama revolving loan fund authority, CA -  
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Child support reform law substantially altered, compliance with federal welfare law -  
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Drinking water finance authority created, authorized to issue bonds, fund established, Alabama department of environmental management to administer -

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Farmers' market authority authorized to lease, dispose of, and sell real property, membership, issuance of bonds altered, tax exempt, duties, funds -

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Higher education equipment loan authority established, bonds authorized -

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Highways, bond issuance by Alabama highway authority for construction -

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Elections, voter identification required when applying to board of

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Check cashing services, licensing and regulation, administration by state banking department, exemptions, fines, penalties -  
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Consumer credit accounts, late charges increased -  
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Credit cards, definition expanded for purposes of illegal possession -  
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Finance charges for banks, surcharges increased -  
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Fees, compensation increased, retroactive effect -  
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Alcoholic beverages, beer and wine for personal or family use, production of authorized under certain conditions, penalties -  
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Alcoholic beverages, malt or brewed beverages, stamps, crowns, or lids affixed thereto, removed -  
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Definition of, for regulation and control of alcoholic beverages altered -  
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Veterans foundation, incorporated, authorized to conduct super bingo games, CA -  
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Veterans foundation, incorporated, authorized to conduct super bingo games, duties, distribution of proceeds, penalties -  
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**BIRMINGHAM BARONS**

Distinctive license plates, distribution of fees, duties to revenue department -  
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**BOARD OF REGISTRARS**

Elections, voter identification required when applying to board of registrars, at polls, or with absentee election manager to vote an absentee ballot -  
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Bar pilots, fees, compensation increase, retroactive effect -  
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State docks department, issuance and sale of bonds, notice requirements altered -  
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Alabama public school and college authority, issuance of \$125 million in bonds to implement the Alabama technology plan for K-12 education, excise taxes pledged for repayment, appropriation -  
SB 475, pages 497, 1505

Alabama revolving loan fund authority, issuance of bonds authorized -  
SB 20, pages 15, 130, 443, 474, 488, 1096, 1647, 2417, 2512, 2516, 3174

Cellular radio telecommunication service tax, revenues appropriated for payment of principal and interest on bonds of Alabama revolving loan fund authority, CA -  
SB 611, pages 1134, 1361, 1748, 2514, 2543, 2624, Act no. 97-356

Class 1 municipalities, regional public system established, including surrounding counties, duties, powers, authority, revenue bonds, referendum, sales tax to fund -  
SB 658, pages 1195, 1670  
HB 915, pages 2192, 2477, 2924, 3159, Act no. 97-678



County jails, establishment of regional jail authorities, issuance of bonds, operation, approval of sheriff -  
SB 344, pages 151, 381, 443, 1305, 1335, 2582, 2588, 2624,  
Act no. 97-441

Drinking water finance authority created, authorized to issue bonds, fund established, Alabama department of environmental management to administer -  
SB 351, pages 152, 376, 1477, 1479, 1844, 1922, 1929, 2430, 2504, 2516, Act no. 97-415

Farmers' market authority authorized to lease, dispose of, and sell real property, membership, issuance of bonds altered, tax exempt, duties, funds -  
SB 94, pages 32, 136, 411, 431, 1827, 1829, 1918

Higher education equipment loan authority established, bonds authorized -  
SB 335, pages 121, 784, 1920, 1929  
HB 277, pages 1208, 1511, 1927, 1928, 2097, 2097, 2486, 2577, Act no. 97-388

Highways, bond issuance by Alabama highway authority for construction -  
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Industrial development authority, criteria for grants altered -  
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Sales tax, discount limited per license holder, revenue pledged to repay bonds of Alabama state parks system improvement corporation -  
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Securities, uniform transfer on death security registration act adopted, permits automatic transfer of securities to beneficiary upon death of owner -  
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State docks department, issuance and sale of bonds, notice requirements altered -  
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State parks, Alabama state parks system improvement corporation, issuance of general obligation bonds, CA -  
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Technology and portable classroom elimination act for K-12 education, bond issue -  
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Toll road authority extensively revised, powers of transportation department, bond issue, supplemental gas tax pledged -  
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Municipal annexation procedures, requirements regarding two electors on each quarter of each quarter section and certain requirements regarding police jurisdiction deleted -  
SB 428, pages 351, 871

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HB 231, pages 2324, 2471

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Fighting, combative sports and no-holds-barred fights prohibited, penalties -  
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Distinctive license plates for masons, scottish rite masons, eastern star, emergency medical technicians, and supporters of girl scouts, and, distribution of fees, portion to Penny trust fund, duties to revenue department -  
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Education department, appropriation to, for local boards of education, all appropriations from education trust fund for noneducational purposes conditional until this appropriation paid -  
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General fund budget, appropriation for ordinary expenses of executive, legislative, and judicial departments -  
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Governor, item veto power further defined to include post session of appropriation bill embracing distinct items, CA -  
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Permanent joint legislative compliance committee created to study, powers, duties, compensation -  
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Ad valorem taxes, recording and certain sales taxes, period of abatement extended -  
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Alabama limited partnership act of 1997, extensively altered -  
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Alcoholic beverages, licensees permitted to sell at retail for on-premises consumption shall maintain certain amount of liability insurance, alcoholic beverage control board to administer -  
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Banking department, state banks examination period extended -  
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Barbers, definition expanded to include cosmetology services -  
HB 243, pages 1120, 1157

Business helper resource office established within economic and community affairs department, hotline established -  
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Cigarettes and other tobacco, sales to minors, alcoholic beverage control board to enforce, penalties on sales and purchases -  
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Commercial real estate broker, right to claim a lien for agreed compensation amount, filing, enforcement, release -  
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Credit cards, definition expanded for purposes of illegal possession -  
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Discrimination in employment based on age prohibited -

SB 279, pages 79, 127

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Environment, toxic pollutants, posting of release of, attorney general to enforce -

SB 245, pages 71, 131

Fighting, combative sports and no-holds-barred fights prohibited, penalties -

SB 394, pages 216, 574, 724, 747, 748

Handicapped parking, fines increased to include certain businesses, sign to contain amount of fine, distribution of proceeds -

SB 287, pages 81, 182, 442, 452, 453, 456, 472, 2582, 2587, 2624, 2893, 2959, 3026, 3357, Act no. 97-473

Insurance, agents and brokers examination and fees, administration of examination by any Alabama institution of higher education, fees by commissioner of insurance, limited -

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Insurance agents regulated for fraud, dishonest, wrongful acts or omissions -

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Labor, nonunion members, grievance and arbitration procedures of union used, reimbursement of actual expenses -

SB 448, pages 447, 1052

Letters of credit, uniform commercial code, numerous sections repealed and replaced -

SB 286, pages 81, 780

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Limited liability companies, law extensively amended -

SB 495, pages 561, 1215

Limited partnerships and foreign limited partnerships, name may include abbreviation L.P. -

HB 50, pages 630, 1669, 2635, 2900, Act no. 97-492

Public contracts, preference given to Alabama firms, nonstate firms

must meet same environmental protection agency standards as state firms -

SB 704, page 1734

Ratites, ostriches, assessments levied for promotional programs -

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Ratites, ostriches, assessments levied for promotional programs, CA -

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Retail grocery stores exempt from licensing requirements regarding purchase of fresh or frozen seafood from a licensed dealer -

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Right-of-way property, former owner may collect produce that falls from trees on adjacent property -

HB 453, pages 618, 791

Sales and use tax, food exempt, state rate increase phased in, counties and municipalities may not raise rates -

SB 433, page 352

Sales and use tax, transactions exempt from use tax if sales tax paid by purchaser -

SB 689, page 1687

HB 1012, pages 1713, 2058, 2200, 2225, Act no. 97-301

Sales tax, discount limited per license holder, revenue pledged to repay bonds of Alabama state parks system improvement corporation -

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HB 1031, pages 2116, 2472

Securities, uniform transfer on death security registration act adopted, permits automatic transfer of securities to beneficiary upon death of owner -

HB 707, pages 1044, 1358, 3314, 3347, Act no. 97-703

Security board of licensure established to regulate alarm system installers, fire system installers, and locksmiths, licensing process, fund established, penalties -

SB 57, pages 24, 185, 411, 413, 414, 421, 1282, 1296, 1486, 1488, 1723, 1815, 1887, 3176, 3330, 3357, Act no. 97-

Service contracts regulated for consumer protection, reimbursement insurance policies regulated, insurance commissioner to administer -

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Small businesses, income tax deduction, conditions and limitations -  
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Telephone carriers, forgery to change without knowledge of telephone customer -  
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Telephone solicitations based on unauthorized use of name Alabama state trooper or highway patrol, class C felony, violation of Alabama telemarketing act -  
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Tobacco, distribution to minors, penalties increased -  
SB 243, pages 70, 139

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Wine, fortified wine and native farm wine, alcohol content increased -  
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Alabama insurance guaranty association, workers' compensation coverage included -  
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Unemployment compensation, maximum amount increased -  
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Workers' compensation, anti-fraud unit established -  
SB 104, page 35

Workers' compensation, assigned risk insurance altered -  
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issued -  
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HB 556, pages 1116, 1155

Golf courses, special alcoholic beverage license authorized by al-  
coholic beverage control board -  
SB 560, pages 928, 1155, 1937, 2216  
SB 625, pages 1138, 1218

Interior design, practice regulated and licensed, board created -  
SB 272, pages 77, 379, 546, 623, 687, 725, 856, 893

Medicine, practice across state lines regulated, medical examiners  
board and medical licensure committee to license -  
SB 341, pages 150, 375, 443, 485, 1082, 1083, 1132, Act no.  
97-166

Plumbers and gas fitters examining board, compensation increased,  
licensing regulations clarified -  
SB 399, pages 343, 576  
HB 566, pages 822, 1053, 2953, 3278, Act no. 97-718

Public accountancy board, membership altered, fees -  
SB 166, pages 53, 569

Unemployment compensation eligibility, temporary employees re-  
quired to notify temporary agency upon completion of assign-  
ment -  
SB 493, pages 560, 1893

Wine suppliers and wholesalers, business relationships regulated,  
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SB 294, pages 84, 135



## CAMELLIS

Designated as official state flower, oak leaf hydrangea designated  
as official state wildflower -  
SB 353, pages 154, 230  
HB 534, pages 1140, 1359

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SB 207, page 62  
HB 197, pages 819, 1019, 1508, 3058, 3113, 3338

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Designation and disclosure requirements for certain amount, time  
periods altered in which contributions may be made -  
SB 152, pages 49, 1216

Fair campaign practices act, reporting of campaign contributions  
and expenditures, campaign committee membership, penalties,  
venue and statute of limitations altered -  
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Fair campaign practices act, reporting of contributions and expen-  
ditures by candidates, campaign and political committees, con-  
tributions limited and regulated, penalties -  
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## CAMPAIGN FINANCES

Campaign contributions by political committees to candidates for  
statewide office limited -  
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Campaign contributions, loans as contributions limited to within  
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Campaign contributions, political action committee to political ac-  
tion committee transfers prohibited -  
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Campaign finance disclosure statements, filing by electronic media -  
SB 442, pages 445, 1217

Campaign finances, in-kind gifts deemed contributions -  
SB 86, pages 31

Campaign financing, election laws regarding altered, penalties -  
HB 312, pages 1169, 1505, 1937, 2283, 2284, 2323, 2805,  
2965, Act no. 97-651

Fair campaign practices act, reporting of campaign contributions  
and expenditures, campaign committee membership, penalties,  
venue and statute of limitations altered -  
SB 439, pages 445, 1217

Fair campaign practices act, reporting of contributions and expen-  
ditures by candidates, campaign and political committees, con-  
tributions limited and regulated, penalties -  
SB 92, pages 32

## CANCER

Health benefit plans, mammography screening, coverage when  
mastectomy covered, the breast cancer screening act estab-  
lished -  
SB 17, pages 14, 126, 187, 216, 341, 2427, 2504, 2516, Act  
no. 97-414

Health benefit plans, reconstructive surgery and prosthetic devices,  
coverage incident to mastectomy -  
SB 224, pages 66, 127, 188, 230, 342  
SB 318, pages 116, 380

Health insurers and health benefit plans, genetic test showing predis-  
position to breast cancer, prohibited from requiring women to  
take or discriminating against because of, enforcement by in-  
surance department -  
SB 113, pages 38, 126, 187, 218, 341, 3334, 3335, 3357, Act  
no. 97-721

## CELLULAR TELEPHONES

Cellular radio telecommunication service tax, revenues appropri-  
ated for payment of principal and interest on bonds of Ala-  
bama revolving loan fund authority, CA -  
SB 611, pages 1134, 1361, 1748, 2514, 2543, 2624, Act no.  
97-356

Cellular services tax, appropriation for payment on bonds of Alabama revolving loan fund authority -  
SB 19, pages 14, 130, 443, 471, 472

## CEMETERIES

Preservation, maintenance, and repair, owner liable, penalties -  
SB 244, pages 71, 515

## CENTER FOR ADVANCED WOODWORKING TECHNOLOGY

Appropriation -  
SB 120, pages 40, 1681

## CENTRAL ALABAMA OPPORTUNITIES INDUSTRIALIZATION CENTER

Appropriation -  
SB 213, page 64  
HB 130, pages 807, 1019, 1685, 3088, 3142, 3339

## CEREBRAL PALSY HOUSING FOUNDATION

United cerebral palsy of Alabama, united cerebral palsy development center, united cerebral palsy, Huntsville, Mobile, Simpson-May cerebral palsy center, and, appropriation -  
SB 208, page 62  
HB 122, pages 815, 1019, 1684, 3100, 3141, 3338

## CERTIFICATE OF NEED

Process and review board, state health planning and development agency, and statewide health coordinating council abolished, transfer of assets, liabilities, employees and planning functions to public health department -  
SB 140, page 46

State health planning and development agency, certificate of need process, review procedure -  
SB 425, pages 350, 522

HB 886, pages 2242, 2469

State health planning and development agency, home health agencies, operation in contiguous counties without additional certificate of need -  
SB 122, pages 41, 181, 1443

**CERTIFIED PROFESSIONAL MIDWIFERY LICENSING ACT**

Established -  
SB 682, page 1503

**CHECK CASHING SERVICES LICENSING ACT**

Established -  
SB 56, pages 23, 142

**CHEMICAL WEAPONS DESTRUCTION LIMITATION ACT**

Established -  
HB 295, pages 1045, 1893, 3328, 3353, Act no. 97-708

**CHILD ABUSE**

Abuse cases, human resources department must report to law enforcement officers -  
SB 679, pages 1502, 1891

Child abuse and neglect prevention board, name changed to children's trust fund board, meetings -  
SB 441, pages 445, 572

Education employees, criminal background checks provided -  
SB 516, pages 640, 1050

Parental rights, terminated for conviction of crimes involving children and for drug use -  
SB 690, pages 1688, 1891

Victims of domestic violence receiving public assistance, work deferment granted in certain circumstances, excused from cooperating in child support collection activities, evidence for proving domestic violence clarified, confidentiality -  
SB 545, page 794

**CHILD CARING PROGRAM**

Alabama child caring foundation appropriation for the -  
HB 797, pages 1717, 2052, 2679

**CHILD CUSTODY**

Children, twelve years of age or older may designate custodial par-

ent in divorce and separation cases, exceptions -  
SB 69, pages 26

#### CHILD DEATH REVIEW TEAM

Established -  
HB 9, pages 225, 523, 2567, 2568, 2671, 2672, 2946, 2947,  
3275

#### CHILD LABOR

Child labor laws, duties transferred from industrial relations department to labor department -  
SB 358, page 155

#### CHILD PROTECTION ACT OF 1997

Education employees, criminal background checks provided -  
SB 516, pages 640, 1050

#### CHILD SUPPORT REFORM ACT OF 1997

Established -  
SB 227, pages 67, 133  
SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394,  
1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

#### CHILDREN

Abandoned, jurisdiction and service of process, Heather act established -  
SB 680, pages 1503, 1671, 1882, 1930

Alcoholic beverages, prohibition against minors serving or dispensing eliminated -  
SB 548, pages 866, 934

Child abuse and neglect prevention board, name changed to children's trust fund board, meetings -  
SB 441, pages 445, 572

Child death review team established, local teams established, purpose to review risk factors and educate public, appropriation to state health department -  
HB 9, pages 225, 523, 2567, 2568, 2671, 2672, 2946, 2947,  
3275

Child labor laws, duties transferred from industrial relations department to labor department -  
SB 358, page 155

Child support reform law substantially altered, compliance with federal welfare law -  
SB 227, pages 67, 133  
SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394, 1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

Child support, uniform interstate family support act, provides for jurisdiction of support cases, paternity determination -  
SB 285, pages 80, 132  
SB 290, pages 82, 134, 937, 1108, 1644, 1657, 1660, Act no. 97-245

Children first trust fund established, funding from cigarette tax increase, distribution -  
SB 295, pages 85, 144, 187, 188, 194, 206

Computers, solicitation of children under sixteen for sexual acts, use prohibited, penalties -  
SB 476, pages 498, 1154, 1474, 1475, 1485, 3049, 3080, 3357, Act no. 97-486

Custody of, twelve years of age or older may designate custodial parent in divorce and separation cases, exceptions -  
SB 69, page 26

Driving under the influence, sentence enhanced if a child under the age of fourteen is present in the vehicle at time of arrest -  
SB 60, pages 24, 133, 854, 892

Early intervention act for infants and toddlers with disabilities, disability mandates repealed -  
SB 141, pages 46, 181, 1476, 1477, 2514, 2543, 2624, Act no. 97-418

Education employees, criminal background checks provided -  
SB 516, pages 640, 1050

Fathers of unborn children when mother is receiving medicaid, financial responsibility, denial of assistance upon refusal of mother to identify father of unborn child -  
SB 360, page 155

Grandparents, visitation rights with minor grandchildren, procedures -

HB 562, pages 2246, 2465, 3315, 3334, 3354

Income tax credit authorized for parents with children in private schools or home schooled -

SB 519, page 641

Industrial relations department, state director of new hires established to collect and maintain data to crossmatch with wage, unemployment, workers' compensation, and food stamp data -  
SB 51, pages 22, 371, 937, 1104, 1106, 1582, 1582, 1633, Act no. 97-228

Juvenile court, jurisdiction over sentence and restitution for convicted minors extended -

HB 269, pages 1127, 2499, 2569, 2945, 2948, 3278, Act no. 97-621

Juvenile probation officers, salary supplement paid by department of youth services to -

SB 466, pages 495, 787

Juvenile probation officers, transfer to state employee status, administration by administrative office of courts, county funding phased out -

SB 293, pages 83, 143, 187, 207, 342

Juvenile sex offenders, children's service facilitation team to develop treatment and rehabilitation programs, youth services department to prepare discharge plan, juvenile sex crime rehabilitation act established -

SB 499, pages 562, 1154

Juveniles, ages 13-16, certain offenses handled in adult court sentenced as a juvenile and adult -

SB 624, page 1137

Marriage, minimum age for contracting increased -

SB 673, page 1500

Missing children bureau renamed Alabama center for missing and exploited children, duties, schools to report first time enrollment -

SB 514, pages 639, 1156, 1483, 2506, 2507

HB 22, pages 1118, 1362, 2507, 2508, 2579, Act no. 97-416

Motor vehicles passing school bus that is stopped, violation charged to owner of motor vehicle, exception -  
SB 281, pages 79, 676

Parental responsibility, liability of parent or guardian for malicious acts of minors, exceptions, mitigating circumstances -  
SB 366, pages 157, 1888

Parental rights, terminated for conviction of crimes involving children and for drug use -  
SB 690, pages 1688, 1891

Schools, attendance required to age eighteen -  
SB 386, page 214

Sex offenders, chemical castration authorized on probation or parole -  
SB 333, pages 120, 371, 442, 444

Support arrearage payments, human resources department, distribution on pro rata basis to each order being enforced -  
SB 95, pages 33, 372, 937, 1107, 1581, 1583, 1633, Act no. 97-229

Tobacco, distribution to minors, penalties increased -  
SB 243, pages 70, 139

Victims of domestic violence receiving public assistance, work deferment granted in certain circumstances, excused from cooperating in child support collection activities, evidence for proving domestic violence clarified, confidentiality -  
SB 545, page 794

#### CHILDREN FIRST TRUST FUND

Established -  
SB 295, pages 85, 144, 187, 188, 194, 206

#### CHILDREN'S ADVOCACY CENTERS, INCORPORATED

Appropriation -  
SB 49, page 21  
HB 7, pages 1541, 1741, 2547, 2584, Act no. 97-454

#### CHILDREN'S AND WOMEN'S HOSPITAL, MOBILE



Appropriation -

SB 198, page 60

HB 401, pages 818, 1019, 1508, 3062, 3099, 3274, Act no.  
97-688

CHILDREN'S HANDS-ON MUSEUM

Appropriation -

HB 613, pages 800, 1019, 1508, 3064, 3115, 3273, Act no.  
97-686

CHILDREN'S HOSPITAL, BIRMINGHAM

Appropriation -

SB 209, page 63

HB 102, pages 809, 1019, 1508, 3061, 3113, 3338, Act no.  
97-695

CHILDREN'S SERVICE FACILITATION TEAM

Juvenile sex offenders, children's service facilitation team to develop treatment and rehabilitation programs, youth services department to prepare discharge plan, juvenile sex crime rehabilitation act established -

SB 499, pages 562, 1154

CHILDREN'S TRUST FUND

Child abuse and neglect prevention board, name changed to children's trust fund board, meetings -

SB 441, pages 445, 572

Motor vehicles, realtors, distinctive license plates, authorized, distribution of fees, duties to revenue department -

HB 701, pages 1707, 2054, 3139, 3341, Act no. 97-467

CHIROPRACTIC EXAMINERS BOARD

Sunset law review continued -

HB 576, pages 663, 874, 935, 941, 942, 942, Act no. 97-149

CHIROPRACTORS

Workers' compensation, initial treating physician of employee to include -

SB 127, pages 42, 142

## CIGARETTES

And other tobacco, sales to minors, alcoholic beverage control board to enforce, penalties on sales and purchases -  
SB 300, pages 112, 373, 545, 622, 685, 687, 697, 700, 2520, 2577, 2624, Act no. 97-423

Tobacco, distribution to minors, penalties increased -  
SB 243, pages 70, 139

## CIRCUIT CLERKS AND REGISTERS

Compensation increased -  
SB 145, page 47

Supernumerary, compensation equalized -  
SB 340, pages 149, 1675

Supernumerary, disability and death benefits for spouses -  
SB 661, pages 1351, 1505

## CITIZENSHIP AND CHARACTER AND LEADERSHIP EDUCATION 21ST CENTURY YOUTH LEADERSHIP MOVEMENT

Appropriation -  
SB 270, pages 76, 1681

## CITIZENSHIP TRUST

Distinctive license plates authorized -  
SB 570, pages 930, 1669  
HB 840, pages 2247, 2465

## CIVIC EDUCATION PROJECT

At the national voting rights museum and institute, appropriation -  
SB 203, pages 61, 1681

## CIVIL ACTIONS

Venue, foreign and domestic corporations sued where principal place of business is located -  
SB 527, page 713

## CIVIL AIR PATROL, ALABAMA WING

Distinctive license plates, distribution of fees, duties to revenue department -  
SB 135, pages 44, 569

## CIVIL DEFENSE

Emergency management, redefine mutual interstate aid agreements and compacts, civil defense emergency situations, governor's powers -  
SB 591, pages 1025, 1680

## CIVIL LIABILITY

State agencies, volunteer workers, board of adjustment authorized to pay claims for personal injury or death -  
SB 70, page 27

## CIVIL PROCEDURE

Abandoned children, jurisdiction and service of process, Heather act established -  
SB 680, pages 1503, 1671, 1882, 1930

Adult protective services act, definition of protected person, residence in nursing home, mentally retarded center, other facilities is prima facie evidence of -  
SB 365, pages 157, 1888

Alabama limited partnership act of 1997, extensively altered -  
SB 675, page 1500

Alcoholic beverages, licensees permitted to sell at retail for on-premises consumption shall maintain certain amount of liability insurance, alcoholic beverage control board to administer -  
SB 291, pages 83, 127

Cemeteries, preservation, maintenance, and repair, owner liable, penalties provided -  
SB 244, pages 71, 515

Child support reform law substantially altered, compliance with federal welfare law -  
SB 227, pages 67, 133  
SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394, 1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

Child support, uniform interstate family support act, provides for jurisdiction of support cases, paternity determination -  
SB 285, pages 80, 132

SB 290, pages 82, 134, 937, 1108, 1644, 1657, 1660, Act no. 97-245

Children, custody of, twelve years of age or older may designate custodial parent in divorce and separation cases, exceptions -  
SB 69, pages 26

Civil actions, judgment interest accrues from date of complaint -  
SB 251, pages 72, 127

Civil liability, physicians and nurses volunteering service at free medical clinics without compensation, immunity -  
HB 329, page 2259

Commercial real estate broker, right to claim a lien for agreed compensation amount, filing, enforcement, release -  
HB 655, pages 1158, 1363

Courts, foreign language interpreters and compliance with disabilities laws, expenditure of funds, payment from certain court cost funds, appropriation in state general fund -  
SB 575, pages 1021, 1358

Cruelty to animals, misdemeanor and felony, criminal acts defined, punishment, civil procedures, hearing in district court, notice, remedies -  
SB 597, page 1027  
SB 644, pages 1192, 1363

Damages for emotional and mental distress limited -  
HB 301, page 511

Discrimination in employment based on age prohibited -  
SB 279, pages 79, 127  
HB 389, pages 1128, 1153, 1937, 2216, 2948, 3276, Act no. 97-723

Drugs, illegal sale, use, or possession, civil cause of action for persons injured by -  
HB 52, pages 1034, 1889, 3324, 3325

Environmental, health, and safety audits, violations disclosed, privileged communications -  
SB 388, pages 214, 375

Fraud, civil actions altered -  
HB 302, pages 511, 2054

Gang activity, criminal offense, penalties, forfeiture of firearms and certain other property, civil action -  
SB 660, page 1197

Grandparents, visitation rights with minor grandchildren, procedures -  
HB 562, pages 2246, 2465, 3315, 3334, 3354

Guardians ad litem, qualifications altered -  
SB 678, pages 1502, 1891

Health maintenance organizations and managed care health service plans, contracts regulated, access to services, rules by health department, arbitration of certain disputes -  
SB 323, pages 118, 574

Insurance subrogation procedures established -  
SB 374, page 159

Intestate estates, counties having elected general or county administrator, designation of administrator -  
SB 373, pages 159, 519

Jury selection, comprehensive method, creation of master jury list in each county or territorial subdivision -  
SB 589, pages 1025, 1668  
HB 799, pages 2258, 2463

Juvenile court, jurisdiction over sentence and restitution for convicted minors extended -  
HB 269, pages 1127, 2499, 2569, 2945, 2948, 3278, Act no. 97-621

Law enforcement officers, rights and privileges, receipt and processing of complaints, interrogation procedure, civil action authorized -  
SB 64, pages 25, 133

Legal separation, court may grant decree regarding standards, effects, remedy of divorce from bed and board abolished -  
SB 327, page 119  
HB 306, page 617

Marriage between members of same sex prohibited -

SB 1, page 9

SB 282, pages 79, 131

Mediation proceedings, standards of confidentiality by non-attorneys -

SB 594, pages 1026, 1668

Medical data, collection of hospital and physician medical data by health department, advisory council, exemptions -

SB 403, pages 344, 521, 1924

SB 416, page 348

SB 417, pages 348, 521

Motor vehicle safety responsibility act, minimum liability or proof of financial responsibility increased annually based on consumer price index -

SB 385, page 214

Motor vehicle safety responsibility act, proof of financial security, bounty fee for confiscation of license plates and driver's license, appropriation to public safety department -

SB 78, pages 29, 184, 1829, 1854

Motor vehicles, accidents resulting in death, mandatory tests to drivers, penalties for refusal, appeals process -

SB 158, pages 50, 1665

Motor vehicles, towing, lien placed for towing charge, hearings, selling of vehicle -

SB 273, pages 77, 138, 1471, 1496, 3208, 3331, 3357

Nolo contendere plea, prior conviction based on, admissible in criminal proceedings, not admissible in civil proceedings or as a plea to criminal charge -

SB 124, page 41

Nurses, cause of action for whistleblowing established -

SB 599, pages 1028, 1157

SB 605, pages 1029, 1668

Parental responsibility, liability of parent or guardian for malicious acts of minors, exceptions, mitigating circumstances -

SB 366, pages 157, 1888

Power of attorney, specify the affect of acts undertaken in good faith reliance upon certain termination provisions of the power of attorney -

SB 424, page 350

Preferential treatment in the operation by the state of public employment, education, or contracting prohibited, CA -

SB 477, pages 498, 932

Property insurance, right of subrogation to recover amounts paid -

SB 139, pages 45, 142, 687, 722, 725, 770, 856, 894

Public safety department, drivers' licenses, denial, revocation, suspension, appeals from hearing officer, administrative law judge to hear appeal -

SB 496, pages 561, 672, 856, 894

Punitive damages, cap imposed, no cap for wrongful death or willful conduct -

SB 618, page 1136

Punitive damages, caps imposed three times compensatory damages not to exceed \$750,000 -

HB 299, page 512

Punitive damages limited in cases with wanton or reckless conduct, unlimited in wrongful death actions -

SB 649, pages 1193, 2053

Railroad companies required to maintain crossings on private property, cause of action for failure to maintain -

HB 1099, pages 2445, 2571

Service contracts regulated for consumer protection, reimbursement insurance policies regulated, insurance commissioner to administer -

SB 447, pages 447, 1666, 1857, 1922, 2257, 2318, 2381, Act no. 97-445

Sport shooting ranges, nuisances, no right of action -

SB 692, page 1730

State health planning and development agency, certificate of need process, review procedure -

SB 425, pages 350, 522

HB 886, pages 2242, 2469

State health planning and development agency exempt from administrative procedure act, certain review processes eliminated -  
SB 535, page 716

Trial judges, peremptory challenges of, Alabama rules of judicial administration altered -  
SB 718, pages 2120, 2270

Venue, foreign and domestic corporations sued where principal place of business is located -  
SB 527, page 713

Verdicts to allow for less than unanimous in all civil actions -  
SB 89, pages 31, 228, 722, 768, 1313

Volunteer health care provider program established, volunteer providers and facilities in need matched, volunteer state employees for purposes of immunity -  
HB 328, page 1043

Writs of restitution or possession, jurisdiction given to circuit court -  
SB 648, page 1193

## CIVIL RIGHTS

Insurance, license for property and casualty insurance, applicant with prior felony conviction may qualify when fully pardoned -  
SB 617, pages 1136, 1364  
HB 1111, pages 2426, 2570, 2632, 2902, Act no. 97-555

International civil rights trail, state highway 80 in Lowndes and Montgomery counties named -  
SB 334, pages 120, 572, 724, 757, 767  
HB 404, pages 2238, 2471, 3321, 3351

## CLONING

Of human beings prohibited, class B felony -  
SB 511, page 639

## COALITION AGAINST DOMESTIC VIOLENCE

Appropriation -  
SB 48, page 21  
HB 118, pages 1540, 1741, 2548, 2585, Act no. 97-432



CODE ADDED

Section 10-4-116, health care service plans prohibited from engaging in self-insured lines of business -  
SB 568, page 930

Section 10-4-116, health care service plans, reserves provided, plans to certain excessive reserves, approval of insurance department -  
SB 567, pages 930, 1049

Sections 10-9B-101, 10-9B-102, 10-9B-103, 10-9B-104, 10-9B-105, 10-9B-106, 10-9B-107, 10-9B-201, 10-9B-202, 10-9B-203, 10-9B-205, 10-9B-206, 10-9B-207, 10-9B-208, 10-9B-209, 10-9B-301, 10-9B-302, 10-9B-303, 10-9B-304, 10-9B-305, 10-9B-401, 10-9B-402, 10-9B-403, 10-9B-404, 10-9B-405, 10-9B-501, 10-9B-502, 10-9B-503, 10-9B-504, 10-9B-601, 10-9B-602, 10-9B-603, 10-9B-604, 10-9B-605, 10-9B-606, 10-9B-607, 10-9B-701, 10-9B-702, 10-9B-703, 10-9B-704, 10-9B-705, 10-9B-801, 10-9B-802, 10-9B-803, 10-9B-804, 10-9B-805, 10-9B-901, 10-9B-902, 10-9B-903, 10-9B-904, 10-9B-905, 10-9B-906, 10-9B-907, 10-9B-908, 10-9B-1001, 10-9B-1002, 10-9B-1003, 10-9B-1004, 10-9B-1001A, 10-9B-1002A, 10-9B-1003A, 10-9B-1004A, 10-9B-1005A, 10-9B-1006A, 10-9B-1007A, 10-9B-1008A, 10-9B-1101, 10-9B-1102, 10-9B-1103, 10-9B-1104, 10-9B-1105 and 10-9B-1106, Alabama limited partnership act of 1997, extensively altered -  
SB 675, page 1500

Sections 11-51-208, 11-51-209, 11-51-210, 11-51-211 and 11-51-212, local taxes, conform to state, collection by revenue department, forms altered -  
SB 513, pages 639, 878

Section 12-18-42, judges authorized to retire with twenty-four years service -  
SB 528, pages 714, 870, 1481, 1482

Section 17-22A-11.1, voluntary code of fair campaign conduct established, guidelines -  
SB 151, pages 48, 517, 856, 894, 1428

Section 22-21-262.1, state health planning and development agency, assisted living facilities defined and regulated, nursing home beds, 10 percent exemption limited to state health plan, medic-aid funded beds limited -  
SB 606, pages 1030, 1366

Section 22-27-8, solid waste disposal requiring financial assurance for proper closure, post-closure, and remediation of unauthorized dumps -

SB 339, pages 149, 375

Sections 27-19-52.1, 27-19-57.1, 27-19-57.2, 27-19-59, 27-19-100, 27-19-101, 27-19-102, 27-19-103, 27-19-104, 27-19-105, 27-19-106, 27-19-107, 27-19-108, 27-19-109 and 27-19-110, long-term care insurance policies regulated under long-term care insurance policy minimum standards act -

SB 320, pages 117, 571

HB 316, pages 1542, 1894

Section 27-50-1, certified registered nurse practitioners or certified nurse midwives, reimbursement or payment by third parties -

SB 529, pages 714, 1367, 1884, 1908

HB 742, page 2444

Section 32-6-68, motor vehicles, distinctive license plates, generic, minimum quantity for group, legislative oversight committee, distribution of funds, revenue department to administer, duties to state comptroller -

SB 590, page 1025

HB 519, pages 1126, 1357, 3292, 3322, 3348, Act no. 97-633

Section 32-7-6A, motor vehicle safety responsibility act, proof of financial security, bounty fee for confiscation of license plates and driver's license, appropriation to public safety department -

SB 78, pages 29, 184, 1829, 1854

Section 34-24-258, podiatry board, sunset law review continued -

HB 589, pages 662, 877, 936, 973, 974, 974, 977, 1003, Act no. 97-159

Section 40-2A-8, tax incentive reform act established, abatement of property taxes authorized by counties and municipalities -

SB 494, pages 560, 673, 854, 892, 1227, 1231, 1232, 1309, 2292, 2455

Section 40-12-44.1, foreign adoptions agencies, regulations -

SB 677, pages 1502, 1890

#### CODE AMENDED

Section 1-2-11, camellia designated as official state flower, oak

leaf hydrangea designated as official state wildflower -  
SB 353, pages 154, 230  
HB 534, pages 1140, 1359

Section 1-2-12, southern longleaf pine species designated as official state tree -  
SB 352, pages 154, 230  
HB 533, pages 825, 1158, 3327, 3354, 3354, Act no. 97-548

Sections 2-5-1, 2-5-2, 2-5-14 and 2-5-16, farmers' market authority authorized to lease, dispose of, sell real property, membership, issuance of bonds, tax exempt, duties, funds -  
SB 94, pages 32, 136, 411, 431, 1827, 1829, 1918

Section 5-3A-1, banking department, state banks, examination period changed -  
SB 400, pages 344, 671  
HB 569, pages 2269, 2468, 2660, 2902, Act no. 97-495

Sections 5-12A-15 and 40-18-8, income tax, treatment of common trust funds, conversions of common trust funds to mutual funds -  
SB 305, pages 113, 183, 711, 717  
HB 373, pages 616, 672, 721, 722, 1432, 1450, Act no. 97-194

Section 5-19-4, consumer credit accounts, late charges increased -  
SB 322, pages 117, 183, 438, 2582, 2587, 2624, Act no. 97-440

Sections 5-23-4, 5-23-5, 16-26C-1, 16-26C-2, 16-26C-4, 16-26C-6, 16-26C-8, 16-26C-9 and 16-26C-13, foundation for local schools established, legislature may appropriate to, investment and distribution of funds, state sponsored credit card program, distribution of proceeds, Letson grants -  
SB 547, pages 865, 1682

Sections 6-2-3 and 6-5-100, fraud, civil actions altered -  
HB 302, pages 511, 2054

Section 6-3-7, venue, foreign and domestic corporations sued where principal place of business is located -  
SB 527, page 713

Section 6-6-351, writs of restitution or possession, jurisdiction given to circuit court -  
SB 648, page 1193

Sections 6-9-232 and 26-17-10, child support, uniform interstate family support act provides for jurisdiction of support cases, paternity determination -

SB 285, pages 80, 132

SB 290, pages 82, 134, 937, 1108, 1644, 1657, 1660, Act no. 97-245

Section 6-11-21, punitive damages, caps imposed three times compensatory damages not to exceed \$750,000 -

HB 299, page 512

Sections 7-1-105, 7-2-512, 7-9-103, 7-9-104, 7-9-105, 7-9-106, 7-9-304 and 7-9-305, letters of credit, uniform commercial code -

SB 286, pages 81, 780

HB 374, pages 2268, 2467, 3311, 3346, Act no. 97-702

Section 8-6-58, securities commission, special agents, appointment, law enforcement powers -

SB 230, pages 67, 569, 1453, 1470

Section 8-8-14, finance charges for banks, surcharges increased -

SB 247, pages 71, 145, 444, 546, 623, 686, 704, 712, 2413, 2414, 2516, Act no. 97-453

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Fishing, one-day permit for certain groups for organized fishing event, commissioner may issue -

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Credit cards, definition expanded for purposes of illegal posses-  
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Driving under the influence, \$100 fine, distribution to impaired drivers trust fund -  
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Driving under the influence, distinctive license plates for multiple driving under the influence offenders, exemption for completion of chemical dependency program, mandatory imprisonment for fourth offense -  
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Driving under the influence, sentence enhanced if a child under the age of fourteen is present in the vehicle at time of arrest -  
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Fishing in private waters without license, penalties -  
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Habitual felony offender act, multiple convictions of a defendant  
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Habitual felony offender convicted of any prior felony involving  
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- Harassment and harassing communications, specify that criminal elements are mutually independent -  
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- Hunting, deer hunting with dogs prohibited on property of another without permission, discharging firearm across road, penalty increased, arrest procedure -  
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- Hunting or discharge of firearm within 100 yards of state park prohibited, penalties -  
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- Indoor lead hazard reduction, health department administration program, certification of contractors, fees, criminal penalties -  
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- Juvenile sex offenders, children's service facilitation team to develop treatment and rehabilitation programs, youth services department to prepare discharge plan, juvenile sex crime rehabilitation act established -  
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- Juveniles, ages 13-16, certain offenses handled in adult court sentenced as a juvenile and adult -  
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- Law enforcement officers giving citations for moving traffic violations to be certified by peace officers' standards and training commission, effective January 1, 1998 -  
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- Mandatory liability insurance required on motor vehicles, penalties -  
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- Marihuana, unlawful possession in the first degree, includes possession for personal use by one previously convicted of unlawful possession, controlled substance crime -  
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Motor vehicles, driving without a license, additional fine, distribution to Alabama department of economic and community affairs -  
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Real property seized in drug offenses, transfer of by state, county, or municipal law enforcement agency to habitat for humanity -  
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Sex offender incarceration act of 1997 established, mandatory sentences, parole or early release and expunging of criminal records prohibited -  
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Sex offenders, chemical castration authorized on probation or parole -  
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Sexual offense, rape in first degree, deviate sexual intercourse and sexual abuse where victim is less than twelve amended to include victim age twelve, common law marriage not a defense to sexual offense -  
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Telephone carriers, forgery to change without knowledge of telephone customer -  
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Telephones, long distance service, unauthorized switching prohibited, public service commission to enforce, penalties -  
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Tobacco, distribution to minors, penalties increased -  
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Weapon, dangerous weapon under criminal code may include fist, foot, or other body part -  
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Welfare reform, family assistance and personal responsibility act established, requirements, time limits, department of human resources to administer, penalties -  
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Crime victims compensation commission and fund, duties, com-  
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Criminal justice information center commission, fees for computer  
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Criminal sentences, determinate sentences provided, parole abol-  
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Death penalty, murder of two or more persons, aggravating cir-

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Death sentences appealed directly to Alabama supreme court by-passing court of criminal appeals -  
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Driving under the influence, \$100 fine for distribution to impaired drivers trust fund -  
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Driving under the influence, distinctive license plates for multiple driving under the influence offenders, exemption for completion of chemical dependency program, mandatory imprisonment for fourth offense -  
SB 451, pages 448, 787, 892

Driving under the influence, sentence enhanced if a child under the age of fourteen is present in the vehicle at time of arrest -  
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Driving with a revoked, cancelled, or suspended license, impoundment of vehicle, lien for towing, immunity to law enforcement officer -  
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Fishing in private waters without license, penalties -  
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Fishing, prohibited from a public road or public right-of-way within certain distance of a commercial fish pond, penalties and forfeitures -  
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Gambling device, possession, proof of intent removed for conviction, exemptions -  
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Gang activity, criminal offense, penalties, forfeiture of firearms and

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Habitual felony offender act, multiple convictions of a defendant arising from same conduct or handled by court at same time to constitute one conviction, review of prior cases -  
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Habitual felony offender convicted of any prior felony involving danger to the person, sentence enhanced on commission of felony involving danger to the person -  
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Habitual offender act, life without parole provided in certain cases, discretion to judge, review of prior sentences in certain cases -  
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Handicapped parking, fines increased to include certain businesses, sign to contain amount of fine, distribution of proceeds -  
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Hunting, deer hunting with dogs prohibited on property of another without permission, discharging firearm across road, penalty increased, arrest procedure -  
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Juveniles, ages 13-16, certain offenses handled in adult court sentenced as a juvenile and adult -  
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Law enforcement officers giving citations for moving traffic violations to be certified by peace officers' standards and training commission, effective January 1, 1998 -  
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Marihuana, unlawful possession in the first degree, includes possession for personal use by one previously convicted of unlawful possession, controlled substance crime -  
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Motor vehicle accidents, arrest based on reasonable grounds for certain violations -  
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Motor vehicles, driving under the influence offenders, issuance of distinctive driver's license under certain conditions, additional fee -  
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Motor vehicles, driving without a license, additional fine, distribution to Alabama department of economic and community affairs -  
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Motor vehicles, seat belt usage required, enforcement effective Janu-

ary 1, 1997, warning ticket until January 1, 1997, unless another violation -  
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Nolo contendere plea, prior conviction based on, admissible in criminal proceedings, not admissible in civil proceedings or as a plea to criminal charge -  
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Pardons and paroles board, parole or pardon hearing, victim may submit written or oral statement -  
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Persons over 65, exploitation of by a relative or certain other person deemed a crime, penalties -  
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Sex offenders, chemical castration authorized on probation or parole -  
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Sexual offense, rape in first degree, deviate sexual intercourse and sexual abuse where victim is less than 12 amended to include victim age twelve, common law marriage not a defense to sexual offense -  
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Telephone carriers, forgery to change without knowledge of telephone customer -  
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Telephone solicitations based on unauthorized use of name Alabama state trooper or highway patrol, class C felony, violation of Alabama telemarketing act -  
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Theft of property, minimum value of property decreased, theft of property to be classified as theft of property in the second degree -  
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Tobacco, distribution to minors, penalties increased -  
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Hunting season with dogs extended, stalk deer hunting season extended, conservation and natural resources department commissioner to issue rules and regulations -  
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Marriage and family therapy board of examiners established, licensure requirements, practice regulated, penalties -  
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HB 208, pages 616, 670, 750, 765, 1116, 1138, Act no. 97-170

Victims of domestic violence receiving public assistance, work deferment granted in certain circumstances, excused from cooperating in child support collection activities, evidence for proving domestic violence clarified, confidentiality -  
SB 545, page 794

## DRAM SHOPS

Alcoholic beverages, licensees permitted to sell at retail for on-premises consumption shall maintain certain amount of liability insurance, alcoholic beverage control board to administer -  
SB 291, pages 83, 127

## DRIVING UNDER THE INFLUENCE

\$100 fine for distribution to impaired drivers trust fund -  
HB 76, pages 918, 1678, 2596, 2802, 2904, Act no. 97-556

Boats, driving under the influence, blood alcohol level lowered to .08 percent -  
HB 146, page 565

Distinctive license plates, for multiple driving under the influence offenders, exemption for completion of chemical dependency program, mandatory imprisonment for fourth offense -  
SB 451, pages 448, 787, 892

Driving with a revoked, cancelled, or suspended license, impoundment of vehicle, lien for towing, immunity to law enforcement officer -  
SB 486, page 501

Motor vehicles, driving under the influence offenders, issuance of distinctive driver's license under certain conditions, additional fee -  
SB 587, page 1024  
SB 671, pages 1354, 1674, 1937, 2184, 2186, 2216, 2510, 2515, 2516, 2575

#### DRUG-DEALER LIABILITY ACT OF 1997

Drugs, illegal sale, use, or possession, civil cause of action for persons injured by -  
HB 52, pages 1034, 1889, 3324, 3325

#### DRUGS

Education, students with illegal drugs, alcohol, or deadly weapon expelled for one school year, attendance of alternative school -  
SB 58, page 24

Health department, state and county, nurses authorized to dispense legend drugs, procedures by pharmacy board, supervision of pharmacist and physician -  
SB 505, pages 564, 873  
HB 625, pages 1706, 2055, 2657, 2901, Act no. 97-643

Illegal sale, use, or possession, civil cause of action for persons injured by -  
HB 52, pages 1034, 1889, 3324, 3325

Marihuana, unlawful possession in the first degree, includes possession for personal use by one previously convicted of unlawful possession, controlled substance crime -  
SB 380, page 160

Motor vehicles, accidents resulting in death, mandatory tests to

drivers, penalties for refusal, appeals process -  
SB 158, pages 50, 1665

Parental rights, terminated for conviction of crimes involving children and for drug use -  
SB 690, page 1688, 1891

Pharmacist may dispense certain controlled substances to terminally ill upon receipt of facsimile prescription -  
SB 492, pages 560, 873

Real property seized in drug offenses, transfer of by state, county, or municipal law enforcement agency to habitat for humanity -  
SB 123, pages 41, 128, 724, 756, 2510, 2512, 2516, 3189

#### E-911

Communication districts, imposition of penalties for failure to post identification on property for -  
HB 1081, pages 2248, 2466

#### EASEMENTS

Conservation easements in real property created for conservation, recreation, or similar purposes -  
SB 468, pages 495, 570, 686, 724, 746, 747, 1883  
HB 823, pages 2247, 2466, 2608, 2630, Act no. 97-715

#### EAST ALABAMA CHILD DEVELOPMENT CENTER

Appropriation -  
SB 200, page 61  
HB 127, pages 814, 1019, 1685, 3081, 3114, 3340, Act no. 97-698

#### EASTERN STAR OF ALABAMA

Distinctive license plates for masons, scottish rite masons, emergency medical technicians, and supporters of boy scouts, girl scouts, and, distribution of fees, portion to Penny trust fund, duties to revenue department -  
SB 5, pages 10, 592, 791, 1425, 2245, 2258, 2381, Act no. 97-405

#### ECONOMIC AND COMMUNITY AFFAIRS DEPARTMENT

Business helper resource office established within, hotline established -

SB 464, page 494

Community action agencies -

SB 108, pages 36, 180, 1299, 2514, 2543, 2624, 3201, 3320, 3333, 3357, Act no. 97-476

Microbusiness finance program established with, appropriation -

SB 460, pages 451, 675, 937, 1108

Motor vehicles, driving without a license, additional fine, distribution to Alabama department of economic and community affairs -

SB 378, pages 160, 871

HB 74, pages 2282, 2464, 2661, 2902, Act no. 97-494

Supplemental appropriation -

SB 429, pages 351, 1744

## ECONOMIC DEVELOPMENT

Permanent legislative oversight committee created -

SB 100, pages 34, 184

## EDUCATION

Alabama public school and college authority, issuance of \$125 million in bonds to implement the Alabama technology plan for K-12 education, excise taxes pledged for repayment, appropriation -

SB 475, pages 497, 1505

Alabama state university, board of trustees membership, age restriction deleted -

SB 408, pages 346, 677, 855, 892

American heritage education act established, American heritage appreciation program of study required -

SB 651, pages 1193, 1676, 1808

Boards of education, city or county, may use capital outlay appropriation to offset hold harmless reduction based on salary increases -

SB 311, pages 115, 521, 1814

Boards of education, county and city required to adopt local salary schedule based on a minimum of 100 percent of state salary matrix -

SB 432, pages 352, 572

Budget, appropriation for support, maintenance, and development of public education -

SB 181, page 56

HB 119, pages 820, 1222, 1488, 1489, 1490, 1496, 1497, 1499, 1504, 1511, 1512, 1512, 1513, 1513, 1578, 1581, 1581, 1583, 1584, 1584, 1631, 2103, 2104, 2973, 3023, 3036, 3037, 3037, 3102

Children first trust fund established, funding from cigarette tax increase, distribution -

SB 295, pages 85, 144, 187, 188, 194, 206

Children, missing children bureau renamed Alabama center for missing and exploited children, duties, schools to report first time enrollment -

SB 514, pages 639, 1156, 1483, 2506, 2507

HB 22, pages 1118, 1362, 2507, 2508, 2579, Act no. 97-416

City boards of transportation of students within two miles from school -

SB 277, pages 78, 676

Colleges and universities required to convert to semester system and adopt common entry and exit periods -

SB 581, page 1023

Colleges and universities, tuition assistance program for needy students established -

SB 696, pages 1731, 2150

HB 883, pages 1719, 2151

Colleges, postsecondary and higher education evaluation and review commission established to realign or close four-year public colleges and universities, junior colleges, trade and vocational schools, programs, facilities, powers -

SB 478, pages 499, 762, 779, 780

Computer technology, portion of public school fund allocated to public schools and certain other schools, criminal penalties -

SB 653, pages 1194, 1358

Construction industry work force act, education program in vocational, technical, trade schools, and colleges, permit surcharge to fund program -  
SB 72, page 27

County boards of education, annual audit of records required, not required to be done by examiners of public accounts -  
SB 474, page 497

County superintendent of education to take office on January 1 following election -  
HB 222, pages 627, 2143, 3291, 3345, Act no. 97-630

Disruptive students, local boards of education required to define disruptive behavior, penalties include in-school suspension, parents attend class, disciplinary school, boot camp established by local board -  
SB 461, pages 451, 677

Education department, appropriation to, for local boards of education, all appropriations from education trust fund for noneducational purposes conditional until this appropriation paid -  
SB 97, page 33

Education employees, criminal background checks provided -  
SB 516, pages 640, 1050

Education revisions act of 1997, funding study council and facilities study committee established -  
SB 609, pages 1030, 1683, 1809

Education trust fund established in state constitution, annual education budget, appropriation only to public education, appropriation of state use tax to public health and education, CA -  
SB 325, page 118

Educational institutions, boards of education and those under state board of education, posting of notices for job openings required -  
SB 410, pages 346, 677  
HB 450, pages 811, 1051

Firefighters employed by municipality, physical disability, spouses and children, education benefits from occupational diseases and physical disabilities -  
SB 370, pages 158, 521

Foundation for local schools established, legislature may appropriate to, investment and distribution of funds, state-sponsored credit card program, distribution of proceeds, Letson grants - SB 547, pages 865, 1682

High school graduation examination, state board of education to make available to nonpublic high schools for reasonable fee - SB 192, pages 59, 181, 442, 458

Higher education equipment loan authority established, bonds authorized -  
SB 335, pages 121, 784, 1920, 1929  
HB 277, pages 1208, 1511, 1927, 1928, 2097, 2097, 2486, 2577, Act no. 97-388

Income tax credit authorized for parents with children in private schools or home schooled -  
SB 519, page 641

Local boards of education, public meetings required before adoption of annual budget -  
SB 515, pages 640, 1050, 1746, 1747, 1754, 3272, 3331, 3357, Act no. 97-624

Local boards of education, reduction-in-force policy regarding layoffs and recalls, adoption required -  
SB 396, pages 343, 677, 894, 1840, 3272, 3331, 3357, Act no. 97-622

Motor vehicles, shriners, educators, and retired educators, distinctive license plates, certain persons to purchase, including spouses, distinctive license plates, distribution of fees, duties to revenue department -  
SB 524, page 712  
HB 724, pages 2248, 2465

National guard, educational benefits, eligibility requirements -  
SB 331, pages 119, 1050

Possession of weapon in safe school zone or at school function prohibited -  
SB 237, page 69

Postsecondary education department and two-year colleges, offic-



ers and employees authorized prepaid travel expenses -  
SB 284, pages 80, 517  
HB 156, pages 825, 1051

Postsecondary education, chancellor to approve out-of-state travel  
in lieu of governor -  
SB 278, pages 78, 517

Postsecondary education, two-year colleges, presidents may donate  
surplus personal property to public high schools, records re-  
quired -  
SB 288, pages 82, 128  
HB 157, page 1123

Preferential treatment in the operation by the state of public em-  
ployment, education, or contracting prohibited, CA -  
SB 477, pages 498, 932

Prepaid affordable college tuition program, exempt from state and  
local taxes -  
SB 411, pages 346, 515  
HB 467, pages 2241, 2466, 3329, 3354, Act no. 97-547

Public school employees, personnel files to be open for review by -  
SB 420, pages 349, 678, 892  
HB 573, pages 1144, 1677

Public schools required to display U. S. constitution, declaration of  
independence and ten commandments -  
SB 485, pages 501, 782

Released time programs for moral and religious instruction, local  
board of education to establish, policies, minimum require-  
ments -  
SB 647, page 1193

Safe school land trust fund established to purchase and develop  
public parks and spaces adjoining junior and senior high schools,  
appropriation -  
SB 218, page 65

School prayer, daily instruction on procedures of U. S. congress,  
including opening prayer, CA -  
SB 503, pages 563, 792

School supplies, local boards of education to allocate funds to schools or teachers for purchase or equipment or electrical equipment -

HB 757, pages 1171, 1677

School uniforms, state board of education required to adopt state-wide uniform dress code policy -

SB 81, pages 30, 132

Schools, attendance required to age eighteen -

SB 386, page 214

Schools, insurance for full replacement value through the state of Alabama risk management division -

HB 384, pages 625, 1676

Sign language, credited as foreign language -

SB 552, page 867

State board of education, conditional appropriation for distribution to local boards of education to offset additional costs of salary increase in lieu of hold harmless funding under -

SB 310, pages 114, 1682

Student debit card programs for certain off-campus stores for students at public institutions of higher education -

SB 306, pages 113, 676

HB 341, pages 1084, 1156, 1451, 1498, Act no. 97-226

Students with illegal drugs, alcohol, or deadly weapon expelled for one school year, attendance of alternative school -

SB 58, page 24

Surplus property, sale and disposal of personal computers to schools at no charge -

SB 656, pages 1195, 1358

Teachers, local boards of education required to pay 100 percent of the state salary matrix -

HB 192, pages 812, 1053, 1488, 1632, 1634, 1659, 1660, 1661, 1664, 1665, 1687, 1687, 1690, Act no. 97-238

Teachers, school employees, unused personal leave days may be converted to sick leave -

SB 348, pages 152, 677, 1472, 2594, 2594, 2624, Act no. 97-444

HB 464, pages 919, 1677

Teachers' retirement system, reopened for prior service with American federation of teachers -

SB 418, pages 348, 786, 1470, 1471

HB 457, pages 2327, 2471

Teachers' retirement system reopened for prior service credit with job corps -

SB 25, pages 16, 128

Technology and portable classroom elimination act for K-12 education, bond issue -

SB 691, pages 1729, 2149

Troy state university, reorganization as the Troy state university system -

SB 160, pages 51, 374, 545, 622, 686, 723, 732, 745, 2959, 3025, 3357, Act no. 97-586

## EDUCATION DEPARTMENT

Education budget, appropriation for support, maintenance, and development of public education -

SB 181, page 56

HB 119, pages 820, 1222, 1488, 1489, 1490, 1496, 1497, 1499, 1504, 1511, 1512, 1512, 1513, 1513, 1578, 1581, 1581, 1583, 1584, 1584, 1631, 2103, 2104, 2973, 3023, 3036, 3037, 3037, 3102

Appropriation to, for local boards of education, all appropriations from education trust fund for noneducational purposes conditional until this appropriation paid -

SB 97, page 33

## EDUCATION REVISIONS ACT OF 1997

Established -

SB 609, pages 1030, 1683, 1809

## EDUCATION TRUST FUND

Boards of education, city or county, may use capital outlay appropriation to offset hold harmless reduction based on salary increases -

SB 311, pages 115, 521, 1814

Education budget, appropriation for support, maintenance, and development of public education -

SB 181, page 56

HB 119, pages 820, 1222, 1488, 1489, 1490, 1496, 1497, 1499, 1504, 1511, 1512, 1512, 1513, 1513, 1578, 1581, 1581, 1583, 1584, 1584, 1631, 2103, 2104, 2973, 3023, 3036, 3037, 3037, 3102

Education department, appropriation to, for local boards of education, all appropriations from education trust fund for noneducational purposes conditional until this appropriation paid -  
SB 97, page 33

Established in state constitution, annual education budget, appropriation only to public education, appropriation of state use tax to public health and education, CA -  
SB 325, page 118

State board of education, conditional appropriation for distribution to local boards of education to offset additional costs of salary increase in lieu of hold harmless funding under -  
SB 310, pages 114, 1682

## EDUCATIONAL RESOURCES, INCORPORATED

Appropriation -

SB 201, page 61

HB 126, pages 798, 1684, 3070, 3114, 3273

## ELECTIONS

Campaign contributions by political committees to candidates for statewide office limited -  
SB 83, pages 30, 784

Campaign contributions, loans as contributions limited to within twelve months of election -  
SB 280, pages 79, 933

Campaign contributions, political activity committee to political activity committee transfers prohibited -  
SB 401, pages 344, 784

Campaign finance disclosure statements, filing by electronic media -  
SB 442, pages 445, 1217

Campaign finances, in-kind gifts deemed contributions -  
SB 86, page 31

Campaign financing, election laws regarding altered, penalties -  
HB 312, pages 1169, 1505, 1937, 2283, 2284, 2323, 2805,  
2965, Act no. 97-651

County commissions, commencement of term of office -  
SB 257, pages 74, 136  
HB 84, pages 618, 932, 3330, 3353, Act no. 97-640

County superintendent of education to take office on January 1  
following election -  
HB 222, pages 627, 2143, 3291, 3345, Act no. 97-630

Dates for presidential preference primaries, primary elections, run-  
off elections, and deadline for qualifying for primaries estab-  
lished -  
SB 137, page 44  
SB 231, pages 68, 517

Education trust fund established in state constitution, annual edu-  
cation budget, appropriation only to public education, appro-  
priation of state use tax to public health and education, CA -  
SB 325, page 118

Elected public office, resignation from upon becoming candidate  
for certain other elected public offices, CA -  
SB 24, page 16

Election officers, returning officers, mileage compensation -  
HB 367, pages 652, 791

Electoral college from Alabama, meeting date altered -  
SB 255, pages 73, 518, 1810

Fair campaign practices act, reporting of campaign contributions  
and expenditures, campaign committee membership, penalties,  
venue and statute of limitations altered -  
SB 439, pages 445, 1217

Fair campaign practices act, reporting of contributions and expen-  
ditures by candidates, campaign and political committees, con-  
tributions limited and regulated, penalties -  
SB 92, page 32

Fair campaign practices commission established, false political advertising prohibited, duties, penalties -  
SB 153, pages 49, 2142

Initiatives and referendums, CA -  
SB 256, pages 74, 518

Insurance commissioner, elected rather than appointed, salary established -  
SB 163, pages 52, 127

Judicial officers, nonpartisan election of certain candidates, filing fee and exemption from fee, vacancies -  
SB 431, pages 351, 1217

Municipal incorporations, prior procedures validated under certain conditions -  
HB 231, pages 2324, 2471

Number of ballots per voter at each precinct -  
SB 267, pages 76, 518

Open primary and runoff, dates altered -  
SB 136, page 44

Office of president and vice president of United States, independent candidates to pay a fee in lieu of filing a petition -  
SB 479, page 499

Political advertisements, false or misleading statements prohibited, fair campaign advertising commission established, authorized to review and approve -  
SB 404, pages 344, 784

Political advertisements regulated -  
SB 313, pages 115, 518

Political parties, election of county executive committees changed from gubernatorial primary to presidential primary -  
SB 550, page 866  
SB 616, pages 1135, 2142

Ratites, ostriches, assessment levied for promotional programs, CA -  
HB 1052, pages 2249, 2470, 3318, 3355, Act no. 97-460

School prayer, daily instruction on procedures of U. S. congress,  
including opening prayer, CA -  
SB 503, pages 563, 792

State agencies and offices required to provide voter registration  
opportunities, registrars offices of state institutions and certain  
schools required to be included -  
SB 23, pages 16, 1216

Testing of electronic voting systems -  
HB 162, pages 620, 2142, 3325, 3326

Veterans foundation, incorporated, authorized to conduct super bingo  
games, CA -  
SB 346, pages 151, 376

Veterans foundation, incorporated, authorized to conduct super bingo  
games, duties, distribution of proceeds, penalties -  
SB 347, pages 152, 376

Voluntary code of fair campaign conduct established, guidelines -  
SB 151, pages 48, 517, 856, 894, 1428

Voter identification required when applying to board of registrars,  
at polls, or with absentee election manager to vote an absentee  
ballot -  
SB 393, pages 216, 519

Voter lists available to chairpersons of county executive commit-  
tees of political parties -  
SB 512, pages 639, 1217, 1840, 1846, 1921

Voter registration, deadline altered -  
SB 368, pages 157, 933

Voters, identification at polls, appointment of election officials from  
political parties, penalties -  
SB 234, pages 68, 517

## ELECTORAL COLLEGE

Meeting date altered -  
SB 255, pages 73, 518, 1810

## ELECTRONIC SECURITY BOARD OF LICENSURE

Established -

SB 57, pages 24, 185, 411, 413, 414, 421, 1282, 1296, 1486,  
1488, 1723, 1815, 1887, 3176, 3330, 3357, Act no. 97-  
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ELECTRONIC TAX RETURN FILING ACT

Established -

SB 342, pages 150, 520  
SB 343, pages 150, 520  
HB 405, pages 797, 934, 2633, 2901, Act no. 97-493

ELECTRONIC VOTING

Elections, testing of electronic voting systems -

HB 162, pages 620, 2142, 3325, 3326

ELEVATOR ESCALATOR SAFETY FOUNDATION

State, county, and municipal, sales and use tax exempt -

SB 355, pages 154, 786

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EMERGENCY MANAGEMENT

Redefine mutual interstate aid agreements and compacts, civil de-  
fense emergency situations, governor's powers -

SB 591, pages 1025, 1680

EMERGENCY MEDICAL SERVICES

Organizations, sales and use tax exempt -

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Programs, health department to fund, appropriation -

SB 220, page 65

HB 196, pages 824, 1019, 1685, 3074, 3141, 3339, Act no.  
97-696

Volunteer fire, rescue or emergency medical services, income tax



deduction for certain members -  
SB 402, pages 344, 1051, 1750, 1806

#### EMERGENCY MEDICAL TECHNICIANS

Distinctive license plates for masons, scottish rite masons, eastern star, supporters of boy scouts, girl scouts, and, distribution of fees, portion to Penny trust fund, duties to revenue department, appropriation -  
SB 5, pages 10, 592, 791, 1425, 2245, 2258, 2381, Act no. 97-405

#### EMERGENCY TELEPHONE SERVICE

Communication districts, imposition of penalties for failure to post identification on property for E-911 purposes -  
HB 1081, pages 2248, 2466

E-911 service charge, supplier to include wireless telephone, administrative fee increased -  
SB 694, page 1730

#### EMPLOYEE SUGGESTION AWARD PROGRAM

Maximum award altered -  
SB 695, pages 1731, 2144

#### EMPLOYEES' RETIREMENT SYSTEM

Cost-of-living increase for certain members, including beneficiaries of members employed by Auburn university or its cooperative extension service -  
HB 672, pages 1143, 1679, 3319, 3350, Act no. 97-706

County tax officials authorized to join employees' retirement system, supernumeraries phased out, CA -  
SB 268, pages 76, 372, 545, 623, 687, 725, 855, 893, 1807

Health insurance, payment of for persons receiving benefits under -  
SB 30, pages 17, 573

Investigators with district attorney who are members of, stress time service awarded -  
SB 631, pages 1188, 1668

Law enforcement officers and firefighters, earning of stress time -  
SB 178, pages 56, 131, 545, 623, 686, 704

Period between retirement and medicare eligibility, state employees' health insurance plan required to pay medical insurance costs -  
SB 18, page 14  
HB 248, page 1547

Public and quasi-public hospital corporations required to grant cost-of-living allowance to certain retirees -  
SB 337, pages 121, 785  
HB 362, pages 2263, 2472

Public officials authorized to purchase prior service in, if authorized by local constitutional amendment -  
SB 54, pages 23, 129, 443, 484, 549, 552, 2101, 2102, 2185,  
Act no. 97-300

Reopened for credit for prior service with nonparticipating employers eligible to participate -  
HB 357, pages 2198, 2472, 3321, 3349, Act no. 97-704

Reopened for prior service credit with social security administration -  
SB 6, pages 11, 874, 2364, 2384, 2968, 3025, 3357

Reopened for purchase of prior service credit for which a position was excluded from participation in the system -  
HB 716, pages 2250, 2472

Reopened for purchase of prior service credit with a welcome center -  
HB 89, pages 1127, 1678, 2945, 3276, Act no. 97-691

Sick leave paid upon early retirement -  
SB 289, pages 82, 1361  
HB 311, page 1546

Teachers' and, members authorized to receive payment for certain amount unused sick leave at retirement or to convert into membership service -  
HB 459, pages 1143, 1357

Teachers' retirement system reopened for purchase of credit for

service to a nonparticipating employer under the -  
SB 7, pages 11, 522, 1745, 1753

## EMPLOYMENT

Discrimination in employment based on age prohibited -  
SB 279, pages 79, 127

HB 389, pages 1128, 1153, 1937, 2216, 2948, 3276, Act no.  
97-723

Health insurance coverage extended after employment terminated,  
insured pays all costs -  
SB 556, pages 868, 1894

Industrial development, site preparation grants authorized to quali-  
fied corporations, retroactive effect -  
HB 529, pages 1716, 2055, 2554, 2584, Act no. 97-466

Industrial relations department, state director of new hires estab-  
lished to collect and maintain data to crossmatch with wage,  
unemployment, workers' compensation, and food stamp data -  
SB 51, pages 22, 371, 937, 1104, 1106, 1582, 1582, 1633, Act  
no. 97-228

Labor, nonunion members, grievance and arbitration procedures of  
union used, reimbursement of actual expenses -  
SB 448, pages 447, 1052

State docks, retirement incentive program, funding, cost-benefit  
analysis -  
SB 63, pages 25, 137, 411, 425, 439, 796, 857, 861, Act no.  
97-142

State employees, personnel director required to authorize provi-  
sional appointments, personnel board to approve -  
SB 130, pages 43, 372

Taxation, severance or termination pay, income from supplemental  
income plan exempt from state, county, and municipal income  
tax -  
HB 636, pages 2242, 2462, 3317, 3350, Act no. 97-705

Unemployment compensation benefits, locked-out employees en-  
titled to receive -  
SB 283, pages 80, 143

Unemployment compensation eligibility, temporary employees required to notify temporary agency upon completion of assignment -

SB 493, pages 560, 1893

## ENGINEERS AND LAND SURVEYORS BOARD OF REGISTRATION

Fees, penalties -

SB 502, pages 563, 788, 1810, 1912, 3144, 3191, 3357, Act no. 97-683

## ENVIRONMENT

Alabama asbestos contractor act, compliance with federal law -

SB 225, pages 66, 569, 1301, 3335, 3336, 3357, Act no. 97-626

Alabama-Coosa-Tallapoosa river basin compact established -

SB 156, pages 50, 182

HB 36, pages 200, 229, 385, 415, Act no. 97-66

Apalachicola-Chattahoochee-Flint river basin compact, established -

SB 180, pages 56, 182

HB 35, pages 199, 229, 384, 415, Act no. 97-67

Chemical weapons, regulation of disposal as hazardous wastes by environmental management department, chemical weapons destruction limitation act established -

HB 295, pages 1045, 1893, 3328, 3353, Act no. 97-708

Conservation easements in real property created for conservation, recreation, or similar purposes -

SB 468, pages 495, 570, 686, 724, 746, 747, 1883

HB 823, pages 2247, 2466, 2608, 2630, Act no. 97-715

Criminal littering, certain materials established as prima facie evidence -

SB 168, pages 53, 135, 411, 432, 435, 3203, 3330, 3357, Act no. 97-712

Drinking water finance authority created, authorized to issue bonds, fund established, Alabama department of environmental management to administer -

SB 351, pages 152, 376, 1477, 1479, 1844, 1922, 1929, 2430, 2504, 2516, Act no. 97-415

Environmental equity and justice commission established to eliminate environmental hazards affecting low-income communities and minorities -  
SB 713, page 1738

Environmental management department, fees for enforcement and administration, injunctive relief on showing of violation -  
SB 162, pages 51, 128

Environmental management department, hearing required for application to discharge pollutants into waters located in state parks or forests -  
SB 190, page 58

Environmental management department, ozone protection legislative oversight of state plans to implement recommendation of ozone transport assessment group -  
SB 574, pages 1020, 1155, 1749, 1807, 2257, 2319, 2381,  
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Environmental, health, and safety audits, violations disclosed, privileged communications -  
SB 388, pages 214, 375

Indoor lead hazard reduction, health department administration program, certification of contractors, fees, criminal penalties -  
HB 680, pages 2254, 2469, 2655, 2901, Act no. 97-553

Solid waste collection, counties may provide exemptions -  
SB 55, pages 23, 129  
HB 155, pages 2430, 2569, 3317, 3350, Act no. 97-636

Solid waste disposal requiring financial assurance for proper closure, post-closure, and remediation of unauthorized dumps -  
SB 339, pages 149, 375

Toxic pollutants, posting of release of, attorney general to enforce -  
SB 245, pages 71, 131

Water, sanitary sewer discharge regulated, prohibited in Smith lake -  
SB 121, page 40

Wilderness areas, conservation and natural resources department, certain lands designated Alabama wilderness system, duties regarding preservation, restrictions on use, certain permits by

Alabama department of environmental management prohibited -  
SB 683, pages 1504, 1669

ENVIRONMENTAL MANAGEMENT, DEPARTMENT OF

Chemical weapons, regulation of disposal as hazardous wastes by  
environmental management department, chemical weapons de-  
struction limitation act established -  
HB 295, pages 1045, 1893, 3328, 3353, Act no. 97-708

Drinking water finance authority created, authorized to issue bonds,  
fund established, Alabama department of environmental man-  
agement to administer -  
SB 351, pages 152, 376, 1477, 1479, 1844, 1922, 1929, 2430,  
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ters located in state parks or forests -  
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SB 574, pages 1020, 1155, 1749, 1807, 2257, 2319, 2381,  
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Uniform multiple-person accounts act, distribution of sums of deposit in financial institutions upon death of depositor, regulations -

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Campaign contributions, designation and disclosure requirements for certain amount, time periods altered in which contributions may be made -

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HB 312, pages 1169, 1505, 1937, 2283, 2284, 2323, 2805, 2965, Act no. 97-651

Reporting of campaign contributions and expenditures, campaign committee membership, penalties, venue and statute of limitations altered -  
SB 439, pages 445, 1217

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Welfare reform, requirements, time limits, department of human resources to administer, penalties -  
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SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394, 1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

Child support, uniform interstate family support act, jurisdiction of support cases, paternity determination -  
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Domestic violence, Alabama coalition against domestic violence to establish standards for shelters and perpetrator counseling centers -  
SB 546, pages 794, 1157, 1805, 1806, 2407, 2408, 2516, Act no. 97-411

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Marriage and family therapy board of examiners established, licensure requirements, practice regulated, penalties -  
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Prisons, state or county may require certain assets of prisoners as reimbursement for costs of confinement, circuit court jurisdiction, attorney general powers, distribution to general fund of state or county -  
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Schools, insurance for full replacement value through the state of Alabama risk management division -  
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Consumer credit accounts, late charges increased -  
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SB 247, pages 71, 145, 444, 546, 623, 686, 704, 712, 2413,  
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Income tax, treatment of common trust funds, conversions of common trust funds to mutual funds -  
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Letters of credit, uniform commercial code, numerous sections repealed and replaced -  
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Uniform multiple-person accounts act, distribution of sums of deposit in financial institutions upon death of depositor, regulations -  
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Association of volunteer fire departments, incorporated, rural community fire protection institute, sixty-seven county volunteer fire associations, and ten district fire associations exempt from ad valorem, sales and use tax -  
SB 467, pages 495, 787

Security board of licensure established to regulate alarm system

installers, fire system installers, and locksmiths, licensing process, fund established, penalties -

SB 57, pages 24, 185, 411, 413, 414, 421, 1282, 1296, 1486, 1488, 1723, 1815, 1887, 3176, 3330, 3357, Act no. 97-711

Water authority, upgrade of fire hydrants, distribution of savings from lower insurance rates resulting from improvements -

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Motor vehicle insurance not to increase based on accident in line of duty under certain conditions -

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## **FIRST NIGHT MOBILE**

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Exempt from sales and use tax, state rate increase phased in, counties and municipalities may not raise rates -  
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## FORENSIC SCIENCES

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Distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
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Legislature may appropriate to, investment and distribution of funds, state-sponsored credit card program, distribution of proceeds, Letson grants -  
SB 547, pages 865, 1682

## FRATERNAL ORDER OF POLICE

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## FRATERNITIES

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HB 302, pages 511, 2054

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sions -  
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Workers' compensation, anti-fraud unit established -  
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Class 1 municipalities, racing commission, simulcasting authorized -  
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Macon county, dog track, distribution of net proceeds -  
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Possession of gambling device, proof of intent removed for convic-  
tion, exemptions -  
SB 111, page 37

Veterans foundation, incorporated, authorized to conduct super bingo games, CA -  
SB 346, pages 151, 376

Veterans foundation, incorporated, authorized to conduct super bingo games, duties, distribution of proceeds, penalties -  
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## GAME AND FISH

Conservation and natural resources department, division of, may collect fees for lists of licensees -  
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Deer hunting season with dogs extended, stalk deer hunting season extended, conservation and natural resources department commissioner to issue rules and regulations -  
SB 115, pages 38, 131, 410, 412, 728, 729

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SB 245, pages 71, 131

Fishing, commercial fishing license, person age 65 or older, exempt -  
HB 431, pages 1121, 2055

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HB 525, pages 1122, 1893

Fishing licenses, lifetime resident saltwater fishing license provided, combination license with freshwater, fee deposited in marine resources endowment fund -  
HB 333, pages 1120, 2054

Fishing, one-day permit for certain groups for organized fishing event, commissioner of conservation and natural resources department may issue -  
HB 526, pages 1122, 1893

Fishing, prohibited from a public road or public right-of-way within certain distance of a commercial fish pond, penalties and forfeitures -  
SB 708, page 1736  
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Hunting or discharge of firearm within 100 yards of state park prohibited, penalties -  
SB 621, page 1137

Hunting, deer hunting with dogs prohibited on property of another without permission, discharging firearm across road, penalty increased, arrest procedure -  
SB 363, pages 156, 371, 723, 730

Motor vehicles, non-game wildlife preservation, distinctive license plates, distribution of fees, duties to revenue department, non-game wildlife preservation committee established -  
SB 469, pages 495, 931

Retail grocery stores exempt from licensing requirements regarding purchase of fresh or frozen seafood from a licensed dealer -  
SB 68, pages 26, 137

## GAMING

Veterans foundation, incorporated, authorized to conduct super bingo games, CA -  
SB 346, pages 151, 376

Veterans foundation, incorporated, authorized to conduct super bingo games, duties, distribution of proceeds, penalties -  
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SB 575, pages 1021, 1358



Driving under the influence, \$100 fine for distribution to impaired drivers trust fund -

HB 76, pages 918, 1678, 2596, 2802, 2904, Act no. 97-556

General fund proration prevention fund established, method of withdrawal and repayment, appropriation -

HB 4, pages 823, 1362

Motor vehicles, architects, distinctive license plates, distribution of fees, duties to revenue department, appropriation -

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Motor vehicles, realtors, distinctive license plates, authorized, distribution of fees, duties to revenue department -

HB 701, pages 1707, 2054, 3139, 3341, Act no. 97-467

Prisons, state or county may require certain assets of prisoners as reimbursement for costs of confinement, circuit court jurisdiction, attorney general powers, distribution to general fund of state or county -

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#### GENERAL FUND PRORATION PREVENTION ACT OF 1997

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#### GEOLOGISTS BOARD OF LICENSURE

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HB 216, pages 1032, 2051, 2672, 2956, 3157, Act no. 97-677

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Distinctive license plates for masons, scottish rite masons, eastern star, emergency medical technicians, and supporters of boy scouts, and, distribution of fees, portion to Penny trust fund, duties to revenue department, appropriation -  
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Education department, appropriation to, for local boards of education, all appropriations from education trust fund for noneducational purposes conditional until this appropriation paid -  
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Athletic trainers board, membership increased, duties, reimbursement of expenses, license renewal, grants authorized -  
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Community service grants, permanent legislative oversight committee created -  
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Industrial development authority, criteria for grants altered -  
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Industrial development, site preparation grants authorized to qualified corporations, retroactive effect -  
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SB 678, pages 1502, 1891

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Real property seized in drug offenses, transfer of by state, county, or municipal law enforcement agency to habitat for humanity -  
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Habitual felony offender act, multiple convictions of a defendant arising from same conduct or handled by court at same time to constitute one conviction, review of prior cases -  
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SB 553, pages 867, 1154

Habitual offender act, life without parole provided in certain cases, discretion to judge, review of prior sentences in certain cases -  
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## HANDICAPPED

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Courts, foreign language interpreters and compliance with disabilities laws, expenditure of funds, payment from certain court cost funds, appropriation in state general fund -  
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Developmentally disabled persons, individual and family support services and programs, in-house services and equipment -  
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Early intervention act for infants and toddlers with disabilities, disability mandates repealed -  
SB 141, pages 46, 181, 1476, 1477, 2514, 2543, 2624, Act  
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Parking, enforcement by handicapped persons authorized -  
SB 423, pages 349, 783

Parking, fines increased to include certain businesses, sign to contain amount of fine, distribution of proceeds -  
SB 287, pages 81, 182, 442, 452, 453, 456, 472, 2582, 2587,  
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Chemical weapons, regulation of disposal as hazardous wastes by environmental management department, chemical weapons destruction limitation act established -  
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Abortions banned under certain conditions, exceptions based on medical reasons, penalties -  
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Abortions prohibited without voluntary and informed consent, what constitutes consent specified, public health department to develop consent forms, civil and criminal penalties, right of intervention -  
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Abortions required to be performed by physician, penalties -  
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Abortions, partial-birth prohibited, CA -  
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Abortions, partial-birth prohibited, civil and criminal penalties, Alabama partial-birth abortion ban act of 1997 established -  
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SB 314, pages 115, 781, 938, 1107, 1108, 1114, 3256, 3331, 3357, Act no. 97-485  
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Adult protective services act, definition of protected person, residence in nursing home, mentally retarded center, other facilities is prima facie evidence of -  
SB 365, pages 157, 1888

Assisted living facility, administrators licensed and regulated, penalties -

SB 668, pages 1353, 1674

HB 957, pages 2240, 2469

Benefit plans, mammography screening, coverage when mastectomy covered, the breast cancer screening act established -

SB 17, pages 14, 126, 187, 216, 341, 2427, 2504, 2516, Act no. 97-414

Benefit plans, reconstructive surgery and prosthetic devices, coverage incident to mastectomy -

SB 224, pages 66, 127, 188, 230, 342

SB 318, pages 116, 380

Board of nursing, membership increased, consumer appointment -

SB 437, pages 353, 1366, 1813, 1814, 1843, 3049, 3080, 3357, Act no. 97-598

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Care authorities, reorganizations may not eliminate local government, organization and operation -

SB 371, page 158

Care service plans, exemptions from insurance laws repealed and deleted -

SB 569, pages 930, 1049

Care service plans prohibited from engaging in self-insured lines of business -

SB 568, page 930

Care service plans, reserves provided, plans to certain excessive reserves, approval of insurance department -

SB 567, pages 930, 1049

Cemeteries, preservation, maintenance, and repair, owner liable, penalties provided -

SB 244, pages 71, 515

Certificate of need process and review board, state health planning and development agency, and state health coordinating council abolished, transfer of assets, liabilities, employees and planning functions to public health department -

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Certified registered nurse practitioners or certified nurse midwives, reimbursement or payment by third parties -  
SB 529, pages 714, 1367, 1884, 1908  
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Child death review team established, local teams established, purpose to review risk factors and educate public, appropriation to state health department -  
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Dental examiners board, reinstatement penalty fees increased, advertising requirements clarified, dental referral service regulated -  
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Department, state and county, nurses authorized to dispense legend drugs, procedures by pharmacy board, supervision of pharmacist and physician -  
SB 505, pages 564, 873  
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Drinking water finance authority created, authorized to issue bonds, fund established, Alabama department of environmental management to administer -  
SB 351, pages 152, 376, 1477, 1479, 1844, 1922, 1929, 2430, 2504, 2516, Act no. 97-415

Driving under the influence, \$100 fine for distribution to impaired drivers trust fund -  
HB 76, pages 918, 1678, 2596, 2802, 2904, Act no. 97-556

Education trust fund established in state constitution, annual education budget, appropriation only to public education, appropriation of state use tax to public health and education, CA -  
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Fathers of unborn children when mother is receiving medicaid, financial responsibility, denial of assistance upon refusal of mother to identify father of unborn child -  
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Indoor lead hazard reduction, health department administration program, certification of contractors, fees, criminal penalties -  
HB 680, pages 2254, 2469, 2655, 2901, Act no. 97-553

Insurance coverage extended after employment terminated, insured pays all costs -  
SB 556, pages 868, 1894

Insurance coverage, pre-medicare retirees who draw retirement system benefits, former employer to pay premium costs -  
SB 175, pages 55, 785

Insurance, high risk pool to provide to certain eligible persons including small businesses, implementing health insurance portability and accountability act -  
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Insurance, viatical settlements act established, penalties -  
SB 93, page 32

Insurers and health benefit plans, genetic test showing predisposition to breast cancer, prohibited from requiring women to take or discriminating against because of, enforcement by insurance department -  
SB 113, pages 38, 126, 187, 218, 341, 3334, 3335, 3357, Act no. 97-721

Long-term care insurance policies regulated under long-term care insurance policy minimum standards act -  
SB 320, pages 117, 571  
HB 316, pages 1542, 1894

Maintenance organizations and managed care health service plans, contracts regulated, access to services, rules by health department, arbitration of certain disputes -  
SB 323, pages 118, 574

Maintenance organizations subject to premium tax rates for health insurers -  
HB 236, pages 566, 671, 1479, 1498, Act no. 97-227

Managed-care entity health plan, self-referral option required for enrollees -  
SB 540, page 717

Mandatory insurance coverage for prostate antigen tests -  
SB 533, page 715



Medicaid, recipient of respite care, family members may receive financial assistance under certain conditions -  
SB 170, page 54

Medicaid, spend down waiver issued for persons purchasing long-term care insurance policies that cover first five years of nursing home care -  
SB 171, pages 54, 785

Medical data, collection of hospital and physician medical data by health department, advisory council, exemptions -  
SB 403, pages 344, 521, 1924  
SB 416, page 348  
SB 417, pages 348, 521

Medical equipment, definition altered to include prosthesis for exemption from certain taxes -  
SB 26, pages 16, 130, 411, 429

Medicine, practice across state lines regulated, medical examiners board and medical licensure committee to license -  
SB 341, pages 150, 375, 443, 485, 1082, 1083, 1132, Act no. 97-166

Mental health services extended to developmentally disabled, mental health and mental retardation department name changed to mental health and developmental disabilities department -  
SB 167, page 53

Natural death act, advance directive for health care and living will -  
SB 412, pages 346, 670  
HB 553, pages 864, 931, 1227, 1249, 1277, Act no. 97-187

Natural death act, life-sustaining procedure, forced feedings prohibited -  
SB 276, page 78

Nursing home residents and other institutions, persons presumed protected persons under adult protection services act, nursing home abuse or theft from residents investigated by health department -  
SB 710, page 1737

Patient protection act of 1997 established -  
SB 296, pages 85, 380

Person who can no longer make decisions regarding his or her health care, attorney in fact may be appointed to make decisions regarding health care on person's behalf -

SB 413, pages 347, 670

HB 554, pages 865, 931, 1907, 1916, 2321, 2391, Act no. 97-360

Pharmacist may dispense certain controlled substances to terminally ill upon receipt of facsimile prescription -

SB 492, pages 560, 873

Physicians compensated by third parties for physicians' assistants services -

HB 436, pages 1200, 1674, 3320, 3349, Act no. 97-635

Prison system, inmates, blood donation to American red cross, deduction from sentence repealed -

SB 264, pages 75, 379

HB 251, page 629

State health planning and development agency, assisted living facilities defined and regulated, nursing home beds, 10 percent exemption limited to state health plan, medicaid funded beds limited -

SB 606, pages 1030, 1366

State health planning and development agency exempt from administrative procedure act, certain review processes eliminated -

SB 535, page 716

State health planning and development agency, certificate of need process, review procedure -

SB 425, pages 350, 522

HB 886, pages 2242, 2469

State health planning and development agency, home health agencies, operation in contiguous counties without additional certificate of need -

SB 122, pages 41, 181, 1443

Volunteer health care provider program established, volunteer providers and facilities in need matched, volunteer state employees for purposes of immunity -

HB 328, page 1043

HEALTH CARE AUTHORITIES ACCOUNTABILITY ACT OF 1997

Established -  
SB 371, page 158

HEALTH DEPARTMENT

Appropriation -  
SB 182, page 57  
HB 194, pages 807, 1019, 1507, 2534, 2535, 2803, 2905

Certificate of need process and review board, state health planning and development agency, and state health coordinating council abolished, transfer of assets, liabilities, employees and planning functions to public health department -  
SB 140, page 46

Child death review team established, local teams established, purpose to review risk factors and educate public, appropriation to state health department -  
HB 9, pages 225, 523, 2567, 2568, 2671, 2672, 2946, 2947, 3275

Children first trust fund established, funding from cigarette tax increase, distribution -  
SB 295, pages 85, 144, 187, 188, 194, 206

Driving under the influence, distinctive license plates for multiple driving under the influence offenders, exemption for completion of chemical dependency program, mandatory imprisonment for fourth offense -  
SB 451, pages 448, 787, 892

Emergency medical services programs, department of public health to fund, appropriation -  
SB 220, page 65  
HB 196, pages 824, 1019, 1685, 3074, 3141, 3339, Act no. 97-696

Health care facilities inspection, advance notice of dates prohibited -  
SB 154, pages 49, 570  
HB 385, pages 1199, 1363, 3313, 3348, Act no. 97-632

Health insurance, high risk pool to provide to certain eligible per-

sons including small businesses, implementing health insurance portability and accountability act -  
SB 688, pages 1651, 2143, 2330, 3205, 3332, 3357, Act no. 97-713  
HB 764, page 2461

Health maintenance organizations and managed care health service plans, contracts regulated, access to services, rules by health department, arbitration of certain disputes -  
SB 323, pages 118, 574

Indoor lead hazard reduction, health department administration program, certification of contractors, fees, criminal penalties -  
HB 680, pages 2254, 2469, 2655, 2901, Act no. 97-553

Medical data, collection of hospital and physician medical data by health department, advisory council, exemptions -  
SB 403, pages 344, 521, 1924  
SB 416, page 348  
SB 417, pages 348, 521

Nursing home residents and other institutions, persons presumed protected persons under adult protection services act, nursing home abuse or theft from residents investigated by health department -  
SB 710, page 1737

State and county, nurses authorized to dispense legend drugs, procedures by pharmacy board, supervision of pharmacist and physician -  
SB 505, pages 564, 873  
HB 625, pages 1706, 2055, 2657, 2901, Act no. 97-643

## HEALTH MAINTENANCE ORGANIZATIONS

Health benefit plans, mammography screening, coverage when mastectomy covered, the breast cancer screening act established -  
SB 17, pages 14, 126, 187, 216, 341, 2427, 2504, 2516, Act no. 97-414

Health benefit plans, reconstructive surgery and prosthetic devices, coverage incident to mastectomy -  
SB 224, pages 66, 127, 188, 230, 342  
SB 318, pages 116, 380

Health insurers and health benefit plans, genetic test showing pre-disposition to breast cancer, prohibited from requiring women to take or discriminating against because of, enforcement by insurance department -

SB 113, pages 38, 126, 187, 218, 341, 3334, 3335, 3357, Act no. 97-721

Managed care health service plans, contracts regulated, access to services, rules by health department, arbitration of certain disputes -

SB 323, pages 118, 574

Managed-care entity health plan, self-referral option required for enrollees -

SB 540, page 717

Medical data, collection of hospital and physician medical data by health department, advisory council, exemptions -

SB 403, pages 344, 521, 1924

SB 416, page 348

SB 417, pages 348, 521

Patient protection act of 1997 established -

SB 296, pages 85, 380

Subject to premium tax rates for health insurers -

HB 236, pages 566, 671, 1479, 1498, Act no. 97-227

## HEALTH PLANNING INFORMATION ACT

Medical data, collection of hospital and physician medical data by health department, advisory council, exemptions -

SB 417, pages 348, 521

## HEARING INSTRUMENT DEALERS BOARD

Sunset law review continued until October 1, 1997 -

HB 581, pages 656, 875, 935, 946, 947, 949, 967, Act no. 97-150

## HEATHER ACT

Established -

SB 680, pages 1503, 1671, 1882, 1930

HELEN KELLER EYE RESEARCH FOUNDATION

Appropriation -

SB 221, page 65

HB 123, pages 810, 1019, 1684, 3083, 3115, 3340, Act no. 97-699

HELPING HANDS OF ENTERPRISE INCORPORATED

Exempt from state, county, and municipal sales and use tax -

HB 736, pages 2254, 2574

HIGH SCHOOL ATHLETIC ASSOCIATION

State, county, and municipal sales and use tax exempt -

SB 354, pages 154, 1053

SB 434, page 352

HIGHER EDUCATION EQUIPMENT LOAN AUTHORITY

Established -

SB 335, pages 121, 784, 1920, 1929

HB 277, pages 1208, 1511, 1927, 1928, 2097, 2097, 2486, 2577, Act no. 97-388

HIGHWAY AUTHORITY

Highways, bond issuance by authority for construction -

SB 544, page 793

HB 775, pages 1631, 2462

HIGHWAYS, ROADS AND BRIDGES

Driver's license, expiration, period for renewal without further examination -

SB 369, pages 157, 576, 856, 894

HB 202, pages 1123, 1356, 2634, 2902, Act no. 97-554

Drivers license medical advisory board, minimum number of doctors on board, reports denying driver licenses may be obtained by the subject of the report -

SB 191, pages 58, 181, 856, 894, 1441, 1442, 1452, 3034, 3050, 3357, Act no. 97-671

Driving under the influence, \$100 fine for distribution to impaired drivers trust fund -

HB 76, pages 918, 1678, 2596, 2802, 2904, Act no. 97-556

Driving with a revoked, cancelled, or suspended license, impoundment of vehicle, lien for towing, immunity to law enforcement officer -

SB 486, page 501

Highways, bond issuance by Alabama highway authority authorized for construction -

SB 544, page 793

HB 775, pages 1631, 2462

International civil rights trail, state highway 80 in Lowndes and Montgomery counties named -

SB 334, pages 120, 572, 724, 757, 767

HB 404, pages 2238, 2471, 3321, 3351

Law enforcement officers giving citations for moving traffic violations to be certified by peace officers' standards and training commission, effective January 1, 1998 -

SB 583, pages 1023, 1680

Motor vehicle and fuel taxes and fees used for public transportation, CA -

SB 595, pages 1027, 1679

SB 622, pages 1137, 1362

Motor vehicles, distinctive license plates, generic minimum quantity for group, legislative oversight committee, distribution of funds, revenue department to administer -

SB 590, page 1025

HB 519, pages 1126, 1357, 3292, 3322, 3348, Act no. 97-633

Motor vehicles, driving without a license, additional fine, distribution to Alabama department of economic and community affairs -

SB 378, pages 160, 871

HB 74, pages 2282, 2464, 2661, 2902, Act no. 97-494

Motor vehicles, oversized loads, front and rear escort required, flashing lights -

SB 259, page 74

Motor vehicles, seat belt usage required, enforcement effective January 1, 1997, warning ticket until January 1, 1997, unless another violation -

SB 299, pages 112, 870

Motor vehicles, temporary tag for vehicle sold in Alabama by manufacturer to be permanently licensed in another jurisdiction, distribution of revenue to county road and bridge fund -  
HB 394, pages 816, 1049

Right-of-way property, former owner may collect produce that falls from trees on adjacent property -  
HB 453, pages 618, 791

Toll road authority extensively revised, powers of transportation department, bond issue, supplemental gas tax pledged -  
SB 118, pages 39, 140, 1750

Transportation department required to maintain English system mile markers, removal prohibited -  
SB 530, pages 714, 791

Transportation department, English measurement system required for all measurements -  
SB 392, pages 215, 378, 443, 471

## HISTORICAL COMMISSION

Artifacts and archaeological treasures from shipwrecks from waters and submerged lands declared state cultural resources, underwater cultural resources act, contraband, salvage operations licensed, penalties, certain exemptions -  
SB 635, page 1189

Attorney general, corrections department, finance department, various state agencies, supplemental appropriation -  
SB 32, page 18  
HB 216, pages 1032, 2051, 2672, 2956, 3157, Act no. 97-677

## HISTORICAL PRESERVATION

Artifacts and archaeological treasures from shipwrecks from waters and submerged lands declared state cultural resources, underwater cultural resources act, contraband, salvage operations licensed, penalties, certain exemptions -  
SB 635, page 1189

## HOLD HARMLESS PROGRAM

Boards of education, city or county, may use capital outlay ap-



propriation to offset hold harmless reduction based on salary increases -  
SB 311, pages 115, 521, 1814

State board of education, conditional appropriation for distribution to local boards of education to offset additional costs of salary increase in lieu of hold harmless funding under -  
SB 310, pages 114, 1682

## HOLIDAYS

State troopers and state communication officers compensated for working -  
SB 430, pages 351, 515

## HOME BUILDERS LICENSURE BOARD

Sunset law review continued -  
HB 582, pages 619, 872, 935, 949, 953, 1461, 1783, 1881,  
Act no. 97-250

## HOME HEALTH AGENCIES

State health planning and development agency, home health agencies, operation in contiguous counties without additional certificate of need -  
SB 122, pages 41, 181, 1443

## HORSE RACING

Class 1 municipalities, racing commission, simulcasting authorized -  
SB 414, pages 347, 575, 575, 676, 853, 853  
HB 522, pages 923, 1054, 1054, 1055, 1278, 1304, Act no. 97-190

## HOSPITALS

Abortions required to be performed by physician, penalties -  
SB 116, page 38  
SB 612, pages 1134, 1366  
HB 694, page 1208

Health benefit plans, mammography screening, coverage when mastectomy covered, the breast cancer screening act established -  
SB 17, pages 14, 126, 187, 216, 341, 2427, 2504, 2516, Act no. 97-414

Health benefit plans, reconstructive surgery and prosthetic devices,  
coverage incident to mastectomy -  
SB 224, pages 66, 127, 188, 230, 342  
SB 318, pages 116, 380

Health care facilities, inspection of, advance notice of dates pro-  
hibited -  
SB 154, pages 49, 570  
HB 385, pages 1199, 1363, 3313, 3348, Act no. 97-632

Health care service plans, exemptions from insurance laws repealed  
and deleted -  
SB 569, pages 930, 1049

Health insurers and health benefit plans, genetic test showing pre-  
disposition to breast cancer, prohibited from requiring women  
to take or discriminating against because of, enforcement by  
insurance department -  
SB 113, pages 38, 126, 187, 218, 341, 3334, 3335, 3357, Act  
no. 97-721

Health maintenance organizations and managed care health service  
plans, contracts regulated, access to services, rules by health  
department, arbitration of certain disputes -  
SB 323, pages 118, 574

Long-term care insurance policies regulated under long-term care  
insurance policy minimum standards act -  
SB 320, pages 117, 571  
HB 316, pages 1542, 1894

Managed-care entity health plan, self-referral option required for  
enrollees -  
SB 540, page 717

Medical data, collection of hospital and physician medical data by  
health department, advisory council, exemptions -  
SB 403, page 344, 521, 1924  
SB 416, page 348  
SB 417, pages 348, 521

Natural death act, advance directive for health care and living will -  
SB 412, pages 346, 670  
HB 553, pages 864, 931, 1227, 1249, 1277, Act no. 97-187

Patient protection act of 1997 established -  
SB 296, pages 85, 380

Public and quasi-public hospital corporations required to grant cost-of-living allowance to certain retirees -  
SB 337, pages 121, 785  
HB 362, pages 2263, 2472

State health planning and development agency, assisted living facilities defined and regulated, nursing home beds, ten percent exemption limited to state health plan, medicaid funded beds limited -  
SB 606, pages 1030, 1366

State health planning and development agency, certificate of need process, review procedure -  
SB 425, pages 350, 522  
HB 886, pages 2242, 2469

State health planning and development agency exempt from administrative procedure act, certain review processes eliminated -  
SB 535, page 716

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Legislative employees, employment, compensation, duties regulated -  
SB 301, pages 112, 184  
HB 44, pages 370, 2140, 2635, 2936, 3032, Act no. 97-658

Legislature, administrative assistants provided for membership of house and senate -  
SB 266, page 76

Legislature, administrative assistants provided for membership of house and senate, appropriation -  
SB 265, page 75

## HUMAN RESOURCES DEPARTMENT

Ad valorem tax, certain surplus amount redistributed from department of human resources to Alabama veterans' assistance fund -  
SB 438, pages 353, 515, 724, 752, 762, 1636, 1705, 1779, 2098, 2102, 2185, Act no. 97-279

Adult protective services act, definition of protected person, residence in nursing home, mentally retarded center, other facilities is prima facie evidence of -  
SB 365, pages 157, 1888

Child abuse cases, human resources department must report to law enforcement officers -  
SB 679, pages 1502, 1891

Child support reform law substantially altered -  
SB 227, pages 67, 133  
SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394, 1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

Children first trust fund established, funding from cigarette tax increase, distribution -  
SB 295, pages 85, 144, 187, 188, 194, 206

Community service act of 1997, community action agencies utilized, state plan, feasibility study, assessment of performance contracts and agency evaluation -  
SB 356, pages 154, 381

Fathers of unborn children when mother is receiving medicaid, financial responsibility, denial of assistance upon refusal of mother to identify father of unborn child -  
SB 360, page 155

Legislative oversight committee create to study -  
SB 422, page 349

Nursing home residents and other institutions, persons presumed protected persons under adult protection services act, nursing home abuse or theft from residents investigated by health department -  
SB 710, page 1737

Supplemental appropriation -  
SB 398, pages 343, 786, 1426, 1452

Support arrearage payments, human resources department, distribution on pro rata basis to each order being enforced -  
SB 95, pages 33, 372, 937, 1107, 1581, 1583, 1633, Act no. 97-229

Victims of domestic violence receiving public assistance, work deferment granted in certain circumstances, excused from cooperating in child support collection activities, evidence for proving domestic violence clarified, confidentiality -  
SB 545, page 794

Welfare reform, family assistance and personal responsibility act established, requirements, time limits, department of human resources to administer, penalties -  
SB 332, pages 120, 673  
SB 457, pages 449, 674, 937, 1005, 1006, 1059, 1087, 1186, 2397, 2416, 3116

## HUMANE SOCIETY

Cruelty to animals, misdemeanor and felony, criminal acts defined, punishment, civil procedures, hearing in district court, notice, remedies -  
SB 597, page 1027  
SB 644, pages 1192, 1363

## HUMANITIES FOUNDATION

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SB 222, page 66  
HB 425, pages 1037, 1686, 3085, 3140, 3340

## HUNTSVILLE EMERGENCY MEDICAL SERVICES, INCORPORATED

Anniston fellowship house, incorporated, Wings of life, incorporated, Jacksonville Christian outreach center, incorporated, Do Da parade, Lee county human society, and, sales and use tax exempt -  
HB 336, pages 2454, 2574, 3309, 3334, 3354, Act no. 97-709

## HYDRANGEA

Camellia designated as official state flower, oak leaf hydrangea designated as official state wildflower -  
SB 353, pages 154, 230  
HB 534, pages 1140, 1359

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Driving under the influence, \$100 fine for distribution to -  
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## **INCOME TAX**

Certain retirement allowances exempt -  
SB 633, pages 1189, 1362

Corporations, credits for certain investments altered -  
SB 488, pages 558, 672, 1240, 1307, 2446, 2513, 2516, Act  
no. 97-446

Credit authorized for parents with children in private schools or  
home schooled -  
SB 519, page 641

Deduction for college tuition, public and private, in-state schools -  
SB 138, pages 45, 131

Electronic filing of tax returns authorized -  
SB 342, pages 150, 520  
SB 343, pages 150, 520  
HB 405, pages 797, 934, 2633, 2901, Act no. 97-493

Federal grantor rules applicable in determining net income -  
SB 304, pages 113, 183, 1488, 1698, 1698, 1699, 1700, 1723,  
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Minimum limits for filing increased -  
SB 406, pages 345, 786, 1297

Prepaid affordable college tuition program exempt from state and  
local taxes -  
HB 467, pages 2241, 2466, 3329, 3354, Act no. 97-547

Refund checkoff for certain mental health advocacy groups -  
SB 573, pages 1020, 1675  
HB 792, pages 2380, 2469, 3297, 3349, Act no. 97-631

State income tax credit, employers who employ and provide health  
insurance to persons receiving temporary assistance for needy  
families, credit for child care -  
SB 459, pages 451, 675, 937, 1106, 1107

Tax credits and exemptions for certain corporations employing

recipients of assistance in eligible counties, Alabama development office, Alabama department of economic and community affairs to administer -  
SB 456, pages 449, 674, 937, 1111

Taxation, severance or termination pay, income from supplemental income plan exempt from state, county, and municipal income tax -  
HB 636, pages 2242, 2462, 3317, 3350, Act no. 97-705

Treatment of common trust funds, conversions of common trust funds to mutual funds, retroactive effect -  
SB 305, pages 113, 183, 711, 717  
HB 373, pages 616, 672, 721, 722, 1432, 1450, Act no. 97-194

Treatment of subchapter S corporations to conform to federal tax code, delete individuals from Alabama multistate tax compact -  
SB 598, pages 1027, 1153, 1460, 3210, 3331, 3357, Act no. 97-625

Unemployment compensation, maximum amount increased -  
SB 324, pages 118, 185, 545, 550, 1226, 1227, 1277, 1690, 1696, 1700, Act no. 97-246

Volunteer fire, rescue or emergency medical services, income tax deduction for certain members -  
SB 402, pages 344, 1051, 1750, 1806

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Distinctive license plates, distribution, duties to revenue department, appropriation -  
HB 90, pages 2454, 2570, 3323, 3351, Act no. 97-470

## INDUSTRIAL DEVELOPMENT

Authority, criteria for grants altered -  
SB 564, pages 929, 1218, 1782, 2612, 2631, 3357, Act no. 97-645

Economic development permanent legislative oversight committee created -  
SB 100, pages 34, 184

Ratites, ostriches, assessment levied for promotional programs -  
HB 1051, pages 2250, 2470, 3318, 3351, Act no. 97-638

Ratites, ostriches, assessment levied for promotional programs, CA -  
HB 1052, pages 2249, 2470, 3318, 3355, Act no. 97-460

Site preparation grants authorized to qualified corporations, retro-  
active effect -  
HB 529, pages 1716, 2055, 2554, 2584, Act no. 97-466

Welfare recipients, industrial development projects, income tax credit  
for employment of former -  
SB 99, page 34

## INDUSTRIAL RELATIONS

Business helper resource office established within economic and  
community affairs department, hotline established -  
SB 464, page 494

Workers' compensation, return to work and set-off recovery pro-  
vided -  
SB 582, page 1023

## INDUSTRIAL RELATIONS DEPARTMENT

Alabama insurance guaranty association, workers' compensation  
coverage included -  
SB 566, pages 929, 1667, 1841, 1842

Child labor laws, duties transferred from industrial relations de-  
partment to labor department -  
SB 358, page 155

State director of new hires established to collect and maintain data  
to crossmatch with wage, unemployment, workers' compensa-  
tion, and food stamp data -  
SB 51, pages 22, 371, 937, 1104, 1106, 1582, 1582, 1633, Act  
no. 97-228

Unemployment compensation, maximum amount increased -  
SB 324, pages 118, 185, 545, 550, 1226, 1227, 1277, 1690,  
1696, 1700, Act no. 97-246

Workers' compensation, anti-fraud unit established -  
SB 104, page 35



Workers' compensation, assigned risk insurance altered -  
SB 565, page 929

## INFANTS

Early intervention act for infants and toddlers with disabilities, disability mandates repealed -  
SB 141, pages 46, 181, 1476, 1477, 2514, 2543, 2624, Act no. 97-418

## INSURANCE

Agents and brokers examination and fees, administration of examination by any Alabama institution of higher education, fees by commissioner of insurance, limited -  
SB 319, pages 117, 571  
HB 245, pages 1542, 2144, 3293

Agents regulated for fraud, dishonest, wrongful acts or omissions -  
SB 596, page 1027

Alabama insurance guaranty association, workers' compensation coverage included -  
SB 566, pages 929, 1667, 1841, 1842

Alcoholic beverages, licensees permitted to sell at retail for on-premises consumption shall maintain certain amount of liability insurance, alcoholic beverage control board to administer -  
SB 291, pages 83, 127

Certified registered nurse practitioners or certified nurse midwives, reimbursement or payment by third parties -  
SB 529, pages 714, 1367, 1884, 1908  
HB 742, page 2444

Commissioner, elected rather than appointed, salary established -  
SB 163, pages 52, 127

Department fund, distribution of proceeds for deposit clarified -  
HB 709, pages 1354, 1680

Firefighters, motor vehicle insurance not to increase based on accident in line of duty under certain conditions -  
SB 455, pages 449, 1052

Fireworks, bottle rockets of small size prohibited, permitted sky rockets classified by minimum size, storage of bottle rockets by sellers permitted -  
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Health benefit plans, mammography screening, coverage when mastectomy covered, the breast cancer screening act established -  
SB 17, pages 14, 126, 187, 216, 341, 2427, 2504, 2516, Act no. 97-414

Health benefit plans, reconstructive surgery and prosthetic devices, coverage incident to mastectomy -  
SB 224, pages 66, 127, 188, 230, 342  
SB 318, pages 116, 380

Health care service plans, exemptions from insurance laws repealed and deleted -  
SB 569, pages 930, 1049

Health care service plans prohibited from engaging in self-insured lines of business -  
SB 568, page 930

Health care service plans, reserves provided, plans to certain excessive reserves, approval of insurance department -  
SB 567, page 930, 1049

Health insurance coverage extended after employment terminated, insured pays all costs -  
SB 556, pages 868, 1894

Health insurance coverage, pre-medicare retirees who draw retirement system benefits, former employer to pay premium costs -  
SB 175, pages 55, 785

Health insurance, high risk pool to provide to certain eligible persons including small businesses, implementing health insurance portability and accountability act -  
SB 688, pages 1651, 2143, 2330, 3205, 3332, 3357, Act no. 97-713  
HB 764, page 2461

Health insurance, payment of for persons receiving benefits under employees' retirement system -  
SB 30, pages 17, 573

Health insurers and health benefit plans, genetic test showing pre-disposition to breast cancer, prohibited from requiring women to take or discriminating against because of, enforcement by insurance department -

SB 113, pages 38, 126, 187, 218, 341, 3334, 3335, 3357, Act no. 97-721

Health maintenance organizations and managed care health service plans, contracts regulated, access to services, rules by health department, arbitration of certain disputes -

SB 323, pages 118, 574

Health maintenance organizations subject to premium tax rates for health insurers -

HB 236, pages 566, 671, 1479, 1498, Act no. 97-227

Legislators, former members, lieutenant governor, former lieutenant governor, eligible for state employees' health insurance coverage -

SB 381, pages 160, 381

License for property and casualty insurance, applicant with prior felony conviction may qualify when fully pardoned -

SB 617, pages 1136, 1364

HB 1111, pages 2426, 2570, 2632, 2902, Act no. 97-555

Long-term care insurance policies regulated under long-term care insurance policy minimum standards act -

SB 320, pages 117, 571

HB 316, pages 1542, 1894

Managed-care entity health plan, self-referral option required for enrollees -

SB 540, page 717

Mandatory insurance coverage for prostate antigen tests -

SB 533, page 715

Mandatory liability insurance required on motor vehicles, penalties -

SB 91, pages 32, 669, 856, 894

SB 142, page 46

Medicaid, spend down waiver issued for persons purchasing long-

term care insurance policies that cover first five years of nursing home care -  
SB 171, pages 54, 785

Motor vehicle safety responsibility act, minimum liability or proof of financial responsibility increased annually based on consumer price index -  
SB 385, page 214

Motor vehicle safety responsibility act, proof of financial security, bounty fee for confiscation of license plates and driver's license, appropriation to public safety department -  
SB 78, pages 29, 184, 1829, 1854

Physicians compensated by third parties for physicians' assistants services -  
HB 436, pages 1200, 1674, 3320, 3349, Act no. 97-635

Premium tax, certain credits removed from tax liability -  
SB 504, pages 564, 790

Property insurance, right of subrogation to recover amounts paid -  
SB 139, pages 45, 142, 687, 722, 725, 770, 856, 894

Public employees, motor vehicle accidents, insurance carriers prohibited from considering accidents in government vehicles for premiums -  
SB 383, pages 213, 519

Retired state employees, state to pay cost of health insurance -  
SB 241, pages 70, 1152

Schools, insurance for full replacement value through the state of Alabama risk management division -  
HB 384, pages 625, 1676

Service contracts regulated for consumer protection, reimbursement insurance policies regulated, insurance commissioner to administer -  
SB 447, pages 447, 1666, 1857, 1922, 2257, 2318, 2381, Act no. 97-445

State employees, early retirement, health insurance paid by state between retirement and medicare eligibility -  
SB 21, page 15

State employees' health insurance fund, certain reserve to be maintained -

SB 176, pages 55, 573

State employees' insurance fund, employer rates set by legislature, requires certain reserves for the fund -

HB 746, pages 1548, 2052, 2532, 2584

State employees, period between retirement and medicare eligibility, state employees' health insurance plan required to pay medical insurance costs -

SB 18, page 14

HB 248, page 1547

Subrogation, procedures established -

SB 374, page 159

Unfair claims settlement act, investigation and disposing of insurance claims, insurance commissioner issues charges, exemptions -

SB 372, page 158

Viatical settlements act established, penalties -

SB 93, page 32

Water authority, upgrade of fire hydrants, distribution of savings from lower insurance rates resulting from improvements -

SB 129, page 43, 141, 546, 623, 686, 702, 707, 2511, 2543, 2624, Act no. 97-417

Workers' compensation, assigned risk insurance altered -

SB 565, page 929

Workers' compensation premiums, employee bonuses excluded from remuneration when calculating -

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Cellular services tax, appropriation for payment on bonds of Alabama revolving loan fund authority -

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Civil actions, judgment interest accrues from date of complaint -

SB 251, pages 72, 127

Consumer credit accounts, late charges increased -

SB 322, pages 117, 183, 438, 2582, 2587, 2624, Act no. 97-440

Finance charges for banks, surcharges increased -

SB 247, pages 71, 145, 444, 546, 623, 686, 704, 712, 2413, 2414, 2516, Act no. 97-453

Motor vehicle loans, disclosure of interest rate mark-up required -

SB 114, page 38

#### INTERIOR DESIGN CONSUMER PROTECTION ACT

Practice regulated and licensed, board created -

SB 272, pages 77, 379, 546, 623, 687, 725, 856, 893

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Suppliers and users, exempt from all state, county and municipal tax -

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Alabama-Coosa-Tallapoosa river basin compact established -

SB 156, pages 50, 182

HB 36, pages 200, 229, 385, 415, Act no. 97-66

Apalachicola-Chattahoochee-Flint river basin compact, established -

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HB 35, pages 199, 229, 384, 415, Act no. 97-67

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Archives and history department, transferred property exempt from, disposition to other state departments, agency or employee, historical material excluded from biannual inventory -

SB 379, pages 160, 783, 1298, 3035, 3050, 3357

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State auditor required to report losses and missing items of state property of certain value to governor -

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## JACKSONVILLE CHRISTIAN OUTREACH CENTER, INCORPORATED

Anniston fellowship house, incorporated, Wings of life, incorporated, Do Da parade, Lee county human society, Huntsville emergency medical services, incorporated, and, sales and use tax exempt -  
HB 336, pages 2454, 2574, 3309, 3334, 3354, Act no. 97-709

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Assault in second degree with intent to prevent jailers, guards or security officers from performing law duty, injury to any person is a felony -  
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Establishment of regional jail authorities, issuance of bonds, operation, approval of sheriff -  
SB 344, pages 151, 381, 443, 1305, 1335, 2582, 2588, 2624,  
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Juvenile delinquents committed to youth services department, acceptance within seven days or payment of costs to county -  
SB 655, pages 1195, 1676

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Alabama cotton producers, distinctive license plate authorized, distribution of funds to Alabama cotton commission -

HB 153, pages 1707, 2141, 3321, 3349, Act no. 97-469

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SB 650, page 1193

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Judicial officers, nonpartisan election of certain candidates, filing fee and exemption from fee, vacancies -

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Judicial retirement fund, prior service credit purchased by judges who withdrew contributions -

SB 657, pages 1195, 1669, 2341, 3025, 3036, 3357, Act no. 97-670

Motor vehicles, civil air patrol, distinctive license plates, distribution of fees, duties to revenue department -

SB 135, pages 44, 569

Motor vehicles, non-game wildlife preservation, distinctive license plates, distribution of fees, duties to revenue department, non-



game wildlife preservation committee established -  
SB 469, pages 495, 931

Motor vehicles, temporary tag for vehicle sold in Alabama by manufacturer to be permanently licensed in another jurisdiction, distribution of revenue to county road and bridge fund -  
HB 394, pages 816, 1049

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Retirement, certain judges authorized to retire with twenty-four years service -  
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Trial judges, peremptory challenges of, Alabama rules of judicial administration altered -  
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Thirty-seventh judicial circuit, additional circuit judge, family court division established -  
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HB 556, pages 1116, 1155

Nonpartisan election of certain candidates, filing fee and exemption from fee, vacancies -  
SB 431, pages 351, 1217

## JUDICIAL RETIREMENT FUND

Prior service credit purchased by judges who withdrew contributions -  
SB 657, pages 1195, 1669, 2341, 3025, 3036, 3357, Act no. 97-670

Retirement, certain judges authorized to retire with twenty-four years service -

SB 528, pages 714, 870, 1481, 1482

## JUDICIAL RETIREMENT SYSTEM

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Postsecondary education department and two-year colleges, officers and employees authorized prepaid travel expenses -

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SB 295, pages 85, 144, 187, 188, 194, 206

Children, missing children bureau renamed Alabama center for missing and exploited children, duties, schools to report first time enrollment -  
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Cigarettes and other tobacco, sales to minors, alcoholic beverage control board to enforce, penalties on sales and purchases -  
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Delinquents, committed to youth services department, acceptance within ten days or payment of costs to county -  
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Local arbitration boards required in employer-employee disputes, compensation of board increased, decision binding -  
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SB 127, pages 42, 142

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Assault in second degree with intent to prevent jailers, guards or security officers from performing law duty, injury to any person is a felony -  
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Children, missing children bureau renamed Alabama center for missing and exploited children, duties, schools to report first time enrollment -  
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Exempt from state, county and municipal sales and use tax -

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LEE COUNTY HUMANE SOCIETY

Anniston fellowship house, incorporated, Wings of life, incorporated, Jacksonville Christian outreach center, incorporated, Do Da parade, Huntsville emergency medical services, incorporated, and, sales and use tax exempt -

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State agencies required to notify attorney general, legislative council, and joint fiscal committee of lawsuits -  
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State agencies required to notify attorney general, legislative council, and joint fiscal committee of lawsuits -  
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Distinctive license plates, recreational vehicles, retired military, issuance with fifteen years of service -  
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Distinctive license plates, rural letter carriers association, distribution of fees, duties to revenue department -  
SB 102, pages 34, 184

Distinctive license plates, shriners, educators, and retired educators, certain persons to purchase, including spouses, distribution of fees, duties to revenue department -  
SB 524, page 712  
HB 724, pages 2248, 2465

Distinctive license plates, Sistas can survive coalition, distribution of fees, duties to revenue department, appropriation -  
HB 858, pages 2245, 2465, 3328, 3352, Act no. 97-546

Distinctive license plates, sororities and fraternities, distribution of fees, duties to revenue department, appropriation -  
HB 49, pages 2282, 2464

Distinctive license plates, sports festival, incorporated, distribution of fees, duties to revenue department, appropriation -  
HB 603, pages 1708, 2141, 3314, 3348, Act no. 97-544

Distinctive license plates, spouses of deceased retired military person may retain -  
SB 105, pages 35, 140

Drivers license medical advisory board, minimum number of doctors on board, reports denying driver licenses may be obtained by the subject of the report -  
SB 191, pages 58, 181, 856, 894, 1441, 1442, 1452, 3034, 3050, 3357, Act no. 97-671

Drivers' licenses suspended or revoked, reinstatement fee increased -  
SB 608, page 1030

Driving with a revoked, cancelled, or suspended license, impoundment of vehicle, lien for towing, immunity to law enforcement officer -  
SB 486, page 501

Fishing licenses, lifetime resident saltwater fishing license provided, combination license with freshwater, fee deposited in marine resources endowment fund -  
HB 333, pages 1120, 2054

Fishing, commercial fishing license, person age 65 or older, exempt -  
HB 431, pages 1121, 2055

Fishing, one-day permit for certain groups for organized fishing event, commissioner of conservation and natural resources department may issue -  
HB 526, pages 1122, 1893

Foreign adoption agencies, regulations -  
SB 677, pages 1502, 1890

Freelance court reporter act, board and fund established, licenses issued -

SB 415, pages 347, 570

HB 556, pages 1116, 1155

General contractors licensing board, minimum amount of contract increased -

SB 454, pages 449, 522, 686, 707, 709, 726, 727

HB 565, pages 1200, 1361, 1919, 2048, Act no. 97-270

Golf courses, special alcoholic beverage license authorized by alcoholic beverage control board -

SB 560, pages 928, 1155, 1937, 2216

SB 625, pages 1138, 1218

Indoor lead hazard reduction, health department administration program, certification of contractors, fees, criminal penalties -

HB 680, pages 2254, 2469, 2655, 2901, Act no. 97-553

Insurance agents regulated for fraud, dishonest, wrongful acts or omissions -

SB 596, page 1027

Insurance, license for property and casualty insurance, applicant with prior felony conviction may qualify when fully pardoned -

SB 617, pages 1136, 1364

HB 1111, pages 2426, 2570, 2632, 2902, Act no. 97-555

Insurance, viatical settlements act established, penalties -

SB 93, page 32

Interior design, practice regulated and licensed, board created -

SB 272, pages 77, 379, 546, 623, 687, 725, 856, 893

Marriage and family therapy board of examiners, established, licensure requirements, practice regulated, penalties -

SB 147, pages 47, 129, 411, 546, 622, 686, 698, 724, 749, 750

HB 208, pages 616, 670, 750, 765, 1116, 1138, Act no. 97-170

Medicine, practice across state lines regulated, medical examiners board and medical licensure committee to license -

SB 341, pages 150, 375, 443, 485, 1082, 1083, 1132, Act no. 97-166

Midwives, certified professional midwifery board established, practice regulated, fees, penalties -  
SB 682, page 1503

Motor vehicle records, disclosure of information prohibited, uniform motor vehicle records disclosure act established -  
HB 641, page 2320

Motor vehicles, accidents resulting in death, mandatory tests to drivers, penalties for refusal, appeals process -  
SB 158, pages 50, 1665

Motor vehicles, helping schools tags, fee increased, proceeds to Penny trust fund -  
SB 254, page 73

Motor vehicles, temporary tag for vehicle sold in Alabama by manufacturer to be permanently licensed in another jurisdiction, distribution of revenue to county road and bridge fund -  
HB 394, pages 816, 1049

Pharmacy interns, training regulations, site and preceptor regulations established by board of pharmacy -  
SB 521, pages 642, 933

Plumbers and gas fitters examining board, compensation increased, licensing regulations clarified -  
SB 399, pages 343, 576  
HB 566, pages 822, 1053, 2953, 3278, Act no. 97-718

Probate judges, salary based on population brackets -  
SB 359, pages 155, 574, 854, 891, 916, 917, 920, 920, 921, 925, 925, 938, 947, 974, 1004, 2086, 2087, 2093, 2094, 2184

Retail grocery stores exempt from licensing requirements regarding purchase of fresh or frozen seafood from a licensed dealer -  
SB 68, pages 26, 137

Security board of licensure established to regulate alarm system installers, fire system installers, and locksmiths, licensing process, fund established, penalties -  
SB 57, pages 24, 185, 411, 413, 414, 421, 1282, 1296, 1486, 1488, 1723, 1815, 1887, 3176, 3330, 3357, Act no. 97-711

Trucks used by farmers, tag for trucks and truck tractors up to 80,001 pounds and over -  
HB 344, pages 1129, 2140

Veterinary medical examiners board renamed, executive director, administration code, hearings, temporary licenses -  
SB 541, pages 792, 1157, 1429, 1452, 1704, 1723, 1924, Act no. 97-249

## LIENS

Child support reform law substantially altered -  
SB 227, pages 67, 133  
SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394, 1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

Commercial real estate broker, right to claim a lien for agreed compensation amount, filing, enforcement, release -  
HB 655, pages 1158, 1363

Driving with a revoked, cancelled, or suspended license, impoundment of vehicle, lien for towing, immunity to law enforcement officer -  
SB 486, page 501

Federal liens, notice of filed with probate judge in grantor and grantee index -  
SB 629, pages 1188, 1680

Motor vehicles, towing, lien placed for towing charge, hearings, selling of vehicle -  
SB 273, pages 77, 138, 1471, 1496, 3208, 3331, 3357

## LIGHTHOUSE COUNSELING CENTER

Appropriation -  
SB 42, page 20  
HB 138, pages 1535, 1742, 2551, 2586, Act no. 97-437

## LIMITED LIABILITY COMPANIES

Income tax treatment of subchapter S corporations to conform to federal tax code, delete individuals from Alabama multistate tax compact -  
SB 598, pages 1027, 1153, 1460, 3210, 3331, 3357, Act no. 97-625

Law extensively amended -  
SB 495, pages 561, 1215

#### LIMITED PARTNERSHIPS

Alabama limited partnership act of 1997, extensively altered -  
SB 675, page 1500

Foreign limited partnerships and, name may include abbreviation  
L.P. -  
HB 50, pages 630, 1669, 2635, 2900, Act no. 97-492

#### LIQUEFIED PETROLEUM GAS BOARD

F-1 permit to fill welding or cutting gases and certain LP-gas con-  
tainers, education fund -  
SB 303, pages 113, 570  
HB 317, pages 817, 872, 3106, 3273, Act no. 97-685

#### LITTER

Criminal littering, certain materials established as prima facie evi-  
dence regarding -  
SB 168, pages 53, 135, 411, 432, 435, 3203, 3330, 3357, Act  
no. 97-712

#### LITTLE SISTERS OF THE POOR

Exempt from state, county, and municipal sales and use tax -  
SB 62, pages 25, 669, 854, 892

#### LIVING WILLS

Natural death act, advance directive for health care and -  
SB 412, pages 346, 670  
HB 553, pages 864, 931, 1227, 1249, 1277, Act no. 97-187

#### LOANS

Consumer credit accounts, late charges increased -  
SB 322, pages 117, 183, 438, 2582, 2587, 2624, Act no. 97-  
440

#### LOCAL TAX PROCEDURES ACT OF 1997

Established -  
SB 523, pages 642, 879

#### LOCAL TAX UNIFICATION ACT OF 1997

Established -  
SB 513, pages 639, 878

#### LOCKSMITHS

Security board of licensure established to regulate alarm system installers, fire system installers, and, licensing process, fund established, penalties -  
SB 57, pages 24, 185, 411, 413, 414, 421, 1282, 1296, 1486, 1488, 1723, 1815, 1887, 3176, 3330, 3357, Act no. 97-711

#### LODGING TAX

Local taxes, conform to state, collection by revenue department altered, forms altered -  
SB 513, pages 639, 878

Tax audits, local government and private auditing firms regulated -  
SB 523, pages 642, 879

#### LONG-TERM CARE INSURANCE POLICY MINIMUM STANDARDS ACT

Established -  
SB 320, pages 117, 571  
HB 316, pages 1542, 1894

#### LYMAN WARD MILITARY ACADEMY

Appropriation -  
SB 188, page 58  
HB 110, pages 1035, 1507, 3040, 3336

#### MANDATORY COLLECTION OF HOSPITAL AND PHYSICIAN MEDICAL DATA ACT

Established -  
SB 403, pages 344, 521, 1924  
SB 416, page 348



## MAMMOGRAPHY

Health benefit plans, mammography screening, coverage when mastectomy covered, the breast cancer screening act established -

SB 17, pages 14, 126, 187, 216, 341, 2427, 2504, 2516, Act no. 97-414

## MANDATES

On local government, funding required by legislature, CA -  
SB 144, pages 47, 782

## MANUFACTURERS

Public contracts, preference given to Alabama firms, non-state firms must meet same environmental protection agency standards as state firms -

SB 704, page 1734

Sales and use tax, certain definitions clarified -

SB 588, pages 1024, 1675

HB 917, pages 2264, 2574, 2792, 2962, Act no. 97-648

## MARIHUANA

Unlawful possession in the first degree, includes possession for personal use by one previously convicted of unlawful possession, controlled substance crime -

SB 380, page 160

## MARION MILITARY INSTITUTE

Appropriation -

SB 187, page 58

HB 109, pages 1035, 1507, 3039, 3336

## MARION RECREATION DEPARTMENT

Appropriation -

SB 538, page 716

## MARRIAGE

Between members of same sex prohibited -

SB 1, page 9

SB 282, pages 79, 131

Child support, uniform interstate family support act, jurisdiction of support cases, paternity determination -

SB 285, pages 80, 132

SB 290, pages 82, 134, 937, 1108, 1644, 1657, 1660, Act no. 97-245

Domestic violence, Alabama coalition against domestic violence to establish standards for shelters and perpetrator counseling centers -

SB 546, pages 794, 1157, 1805, 1806, 2407, 2408, 2516, Act no. 97-411

Legal separation, court may grant decree regarding, standards, effects, remedy of divorce from bed and board abolished -

SB 327, page 119

HB 306, page 617

Marriage and family therapy board of examiners established, licensure requirements, practice regulated, penalties -

SB 147, pages 47, 129, 411, 546, 622, 686, 698, 724, 749, 750

HB 208, pages 616, 670, 750, 765, 1116, 1138, Act no. 97-170

Minimum age for contracting increased -

SB 673, page 1500

## MARRIAGE AND FAMILY THERAPY LICENSURE ACT

Established -

SB 147, pages 47, 129, 411, 546, 622, 686, 698, 724, 749, 750

HB 208, pages 616, 670, 750, 765, 1116, 1138, Act no. 97-170

## MARRIAGE PROTECTION ACT

Established -

SB 1, page 9

SB 282, pages 79, 131

## MASSAGE THERAPY BOARD

Attorney general, department of corrections, finance department,

various state agencies, supplemental appropriation -  
SB 32, page 18  
HB 216, pages 1032, 2051, 2672, 2956, 3157, Act no. 97-677

## MASONS

Distinctive license plates for, and, scottish rite masons, eastern star, emergency medical technicians, and supporters of boy scouts, girl scouts, and, distribution of fees, portion to Penny trust fund, duties to revenue department, appropriation -  
SB 5, pages 10, 592, 791, 1425, 2245, 2258, 2381, Act no. 97-405

## MAYORS

Authorized to give cash or non-cash awards to employees for exemplary performance -  
HB 47, pages 800, 1363

## MEDIATION

Proceedings, standards of confidentiality by non-attorneys -  
SB 594, pages 1026, 1668

## MEDICAID

Fathers of unborn children when mother is receiving medicaid, financial responsibility, denial of assistance upon refusal of mother to identify father of unborn child -  
SB 360, page 155

Nursing facility beds, privilege tax increased, distribution to medicaid -  
HB 1027, pages 1705, 2052

Recipient of respite care, family members may receive financial assistance under certain conditions -  
SB 170, page 54

Spend down waiver issued for persons purchasing long-term care insurance policies that cover first five years of nursing home care -  
SB 171, pages 54, 785

State health planning and development agency, assisted living fa-

cilities defined and regulated, nursing home beds, 10% exemption limited to state health plan, medicaid funded beds limited -  
SB 606, pages 1030, 1366

#### MEDICAL EXAMINERS BOARD

Medical licensure commission and, sunset law review continued -  
HB 583, pages 658, 876, 936, 952, 968, Act no. 97-151

Medicine, practice across state lines regulated, medical examiners board and medical licensure committee to license -  
SB 341, pages 150, 375, 443, 485, 1082, 1083, 1132, Act no. 97-166

#### MEDICAL LICENSURE COMMISSION

Medical Examiners board and, sunset law review continued -  
HB 583, pages 658, 876, 936, 952, 968, Act no. 97-151

Medicine, practice across state lines regulated, medical examiners board and medical licensure committee to license -  
SB 341, pages 150, 375, 443, 485, 1082, 1083, 1132, Act no. 97-166

#### MEDICAL SUPPLIES AND EQUIPMENT

Medical equipment, definition altered to include prosthesis for exemption from certain taxes -  
SB 26, pages 16, 130, 411, 429

#### MEDICARE

Long-term care insurance policies regulated under long-term care insurance policy minimum standards act -  
SB 320, pages 117, 571  
HB 316, pages 1542, 1894

#### MEDICARE SUPPLEMENT POLICY MINIMUM STANDARDS ACT

Long-term care insurance policies regulated under -  
SB 320, pages 117, 571  
HB 316, pages 1542, 1894

#### MEDICINE

Abortions, partial-birth prohibited, civil and criminal penalties,  
Alabama partial-birth abortion ban act of 1997 established -  
SB 3, page 10  
SB 314, pages 115, 781, 938, 1107, 1108, 1114, 3256, 3331,  
3357, Act no. 97-485  
SB 390, page 215

Abortions required to be performed by physician, penalties -  
SB 116, page 38  
SB 612, pages 1134, 1366  
HB 694, page 1208

Indoor lead hazard reduction, health department administration  
program, certification of contractors, fees, criminal penalties -  
HB 680, pages 2254, 2469, 2655, 2901, Act no. 97-553

Midwives, certified professional midwifery board established, prac-  
tice regulated, fees, penalties -  
SB 682, page 1503

Patient protection act of 1997 established -  
SB 296, pages 85, 380

Physicians compensated by third parties for physicians' assistants  
services -  
HB 436, pages 1200, 1674, 3320, 3349, Act no. 97-635

Practice across state lines regulated, medical examiners board and  
medical licensure committee to license -  
SB 341, pages 150, 375, 443, 485, 1082, 1083, 1132, Act no.  
97-166

## MENTAL HEALTH

Adult protective services act, definition of protected person, resi-  
dence in nursing home, mentally retarded center, other facili-  
ties is prima facie evidence of -  
SB 365, pages 157, 1888

Children first trust fund established, funding from cigarette tax in-  
crease, distribution -  
SB 295, pages 85, 144, 187, 188, 194, 206

Developmentally disabled persons, individual and family support

services and programs, in-house services and equipment -  
SB 157, pages 50, 181, 442, 459, 484, 2529, 2530, 2576, 2624,  
Act no. 97-421

Income tax refund checkoff for certain mental health advocacy  
groups -  
SB 573, pages 1020, 1675  
HB 792, pages 2380, 2469, 3297, 3349, Act no. 97-631

Property exempt from inventory control by state auditor -  
SB 229, pages 67, 136, 1918

Services extended to developmentally disabled, mental health and  
mental retardation department name changed to mental health  
and developmental disabilities department -  
SB 167, page 53

#### MERIT SYSTEM

State employees, letter of justification to personnel board for ap-  
pointments and promotions in -  
SB 96, page 33

State employees, state personnel director required to keep promo-  
tional registers open during studies or reviews for positions -  
HB 286, pages 1142, 1356

#### MERKOS L'INYONIE CHINUCH OF ALABAMA

Exempt from state, county and municipal sales and use tax -  
SB 577, page 1021

#### METRIC SYSTEM

Transportation department, English measurement system required  
for all measurements -  
SB 392, pages 215, 378, 443, 471

#### METROPOLITAN ARTS COUNCIL

Appropriation -  
SB 31, page 17  
HB 186, pages 816, 1019, 1509, 2597, 2904, Act no. 97-646

#### MICHAEL FIGURES LEADERSHIP EXPERIENCE

Supplemental appropriation to the university of Alabama for -  
SB 703, pages 1734, 2150

#### MICROBUSINESS DEVELOPMENT ACT

Microbusiness finance program established with Alabama department of economic and community affairs, appropriation -  
SB 460, pages 451, 675, 937, 1108

#### MIDWIVES

Certified professional midwifery board established, practice regulated, fees, penalties -  
SB 682, page 1503

Certified registered nurse practitioners or certified nurse midwives, reimbursement or payment by third parties -  
SB 529, pages 714, 1367, 1884, 1908  
HB 742, page 2444

#### MILEAGE

Election officers, returning officers, mileage compensation -  
HB 367, pages 652, 791

#### MILITARY

Adjutant general, qualifications altered, retired officer of national guard authorized, CA -  
SB 626, page 1187

Motor vehicles including recreational vehicles, retired military, distinctive license plates issued with fifteen years of service -  
SB 632, pages 1188, 1672

Motor vehicles, spouses of deceased retired military person may retain distinctive license plates -  
SB 105, pages 35, 140

National guard, educational benefits, eligibility requirements -  
SB 331, pages 119, 1050

Veterans' affairs board, representative of Korean war veterans added -  
SB 620, pages 1136, 1219

## MILITARY DEPARTMENT

Attorney general, department of corrections, finance department,  
various state agencies, supplemental appropriation -

SB 32, page 18

HB 216, pages 1032, 2051, 2672, 2956, 3157, Act no. 97-677

Supplemental appropriation for armory at Union Springs -

SB 449, pages 447, 1744, 2266, 2957, 2971, 3357, Act no.  
97-667

## MINES AND MINING

Surface mining, surety bond increased, exemptions -

HB 1046, pages 2241, 2468, 3312, 3333, 3355, Act no. 97-  
641

## MINORITIES

Environmental equity and justice commission established to elimi-  
nate environmental hazards affecting low-income communities  
and, -

SB 713, page 1738

## MINORS

Alcoholic beverages, prohibition against serving or dispensing elimi-  
nated -

SB 548, pages 866, 934

Child support reform act established, suspension of certain licenses  
for arrearages -

SB 227, pages 67, 133

SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394,  
1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

Children, missing children bureau renamed Alabama center for  
missing and exploited children, duties, schools to report first  
time enrollment -

SB 514, pages 639, 1156, 1483, 2506, 2507

HB 22, pages 1118, 1362, 2507, 2508, 2579, Act no. 97-416

Cigarettes and other tobacco, sales to minors, alcoholic beverage  
control board to enforce, penalties on sales and purchases -

SB 300, pages 112, 373, 545, 622, 685, 687, 697, 700, 2520,  
2577, 2624, Act no. 97-423



Computers, solicitation of children under sixteen for sexual acts,  
use prohibited, penalties -  
SB 476, pages 498, 1154, 1474, 1475, 1485, 3049, 3080, 3357,  
Act no. 97-486

Driving under the influence, sentence enhanced if a child under the  
age of fourteen is present in the vehicle at time of arrest -  
SB 60, pages 24, 133, 854, 892

Grandparents, visitation rights with minor grandchildren, proce-  
dures -  
HB 562, pages 2246, 2465, 3315, 3334, 3354

Guardians ad litem, qualifications altered -  
SB 678, pages 1502, 1891

Juvenile court, jurisdiction over sentence and restitution for con-  
victed minors extended -  
HB 269, pages 1127, 2499, 2569, 2945, 2948, 3278, Act no.  
97-621

Juvenile probation officers, salary supplement paid by department  
of youth services to -  
SB 466, pages 495, 787

Juvenile sex offenders, children's service facilitation team to de-  
velop treatment and rehabilitation programs, youth services  
department to prepare discharge plan, juvenile sex crime reha-  
bilitation act established -  
SB 499, pages 562, 1154

Juveniles, ages 13-16, certain offenses handled in adult court sen-  
tenced as a juvenile and adult -  
SB 624, page 1137

Marriage, minimum age for contracting increased -  
SB 673, page 1500

Parental responsibility, liability of parent or guardian for malicious  
acts of minors, exceptions, mitigating circumstances -  
SB 366, pages 157, 1888

Tobacco, distribution to minors, penalties increased -  
SB 243, pages 70, 139

MISSING AND EXPLOITED CHILDREN

Children, missing children bureau renamed Alabama center for missing and exploited children, duties, schools to report first time enrollment -

SB 514, pages 639, 1156, 1483, 2506, 2507

HB 22, pages 1118, 1362, 2507, 2508, 2579, Act no. 97-416

MOBILE AREA CHAMBER OF COMMERCE FOUNDATION

Ad valorem tax exempt -

SB 551, page 867

MOBILE LODGE #108

Exempt from all state, county, and local ad valorem taxes -

SB 74, page 28

MONTGOMERY AREA FOOD BANK

Community action agencies, supplemental appropriation -

SB 109, pages 36, 180, 1296

MONTGOMERY MINORITY BUSINESS DEVELOPMENT CENTER

Appropriation -

SB 41, page 20

HB 215, pages 1536, 1742, 2552, 2553, 2586, Act no. 97-438

MOTOR FUELS TAX

Motor vehicle and fuel taxes and fees used for public transportation, CA -

SB 595, pages 1027, 1679

SB 622, pages 1137, 1362

MOTOR VEHICLE SAFETY RESPONSIBILITY ACT

Proof of financial security, bounty fee for confiscation of license plates and driver's license, appropriation to public safety department -

SB 78, pages 29, 184, 1829, 1854

MOTOR VEHICLES

4-H club foundation, distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
HB 912, pages 1713, 2141, 3313, 3347, Act no. 97-468

Abandoned on private property, procedures regarding towing -  
SB 646, pages 1192, 1362

Accidents, arrest based on reasonable grounds for certain violations -  
SB 562, page 928

Accidents resulting in death, mandatory tests to drivers, penalties for refusal, appeals process -  
SB 158, pages 50, 1665

Aerospace teachers' association, distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
SB 149, pages 48, 569

Alabama cotton producers, distinctive license plate authorized, distribution of funds to Alabama cotton commission -  
HB 153, pages 1707, 2141, 3321, 3349, Act no. 97-469

Alabama recycling coalition, distinctive license plates authorized -  
SB 543, pages 793, 1049

Alabama sports festival, incorporated, distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
SB 246, pages 71, 136, 687, 725, 855, 893

Alabama wildlife federation, distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
SB 65, pages 25, 567  
HB 191, pages 1706, 2141, 3259, 3344, Act no. 97-543

Architects, distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
SB 509, pages 638, 872

Arrest after traffic violations, required to appear before magistrate and not sign their own bond -  
SB 489, page 559

Birmingham barons, distinctive license plates, distribution of fees, duties to revenue department -  
SB 179, pages 56, 569

Certified public accountants, distinctive license plates, distribution of fees, duties to revenue department -  
SB 508, pages 638, 872

Child support reform act established, suspension of certain licenses for arrearages -  
SB 227, pages 67, 133  
SB 458, pages 450, 675, 938, 1112, 1307, 1310, 1311, 1394, 1437, 2406, 2413, 2415, 2505, 2516, Act no. 97-447

Citizenship trust, distinctive license plates authorized -  
SB 570, pages 930, 1669  
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Civil air patrol, distinctive license plates, distribution of fees, duties to revenue department -  
SB 135, pages 44, 569

Conservation and natural resources department, distinctive license plates, animal design, distribution of fees, duties to revenue department, appropriation -  
SB 702, page 1733

Disabled veterans, distinctive license plates, design altered -  
HB 445, pages 2239, 2464

Distinctive license plates for masons, scottish rite masons, eastern star, emergency medical technicians, and supporters of boy scouts, girl scouts, distribution of fees, portion to Penny trust fund, duties to revenue department, appropriation -  
SB 5, pages 10, 592, 791, 1425, 2245, 2258, 2381, Act no. 97-405

Distinctive license plates, generic minimum quantity for group, legislative oversight committee, distribution of funds, revenue department to administer -  
SB 590, page 1025  
HB 519, pages 1126, 1357, 3292, 3322, 3348, Act no. 97-633

Driving under the influence offenders, issuance of distinctive driver's license under certain conditions, additional fee -  
SB 587, page 1024  
SB 671, pages 1354, 1674, 1937, 2184, 2186, 2216, 2510, 2515, 2516, 2575

Driving without a license, additional fine, distribution to Alabama department of economic and community affairs -

SB 378, pages 160, 871

HB 74, pages 2282, 2464, 2661, 2902, Act no. 97-494

Driver's licenses, expiration, period for renewal without further examination -

SB 369, pages 157, 576, 856, 894

HB 202, pages 1123, 1356, 2634, 2902, Act no. 97-554

Driver's licenses medical advisory board, minimum number of doctors on board, reports denying driver licenses may be obtained by the subject of the report -

SB 191, pages 58, 181, 856, 894, 1441, 1442, 1452, 3034, 3050, 3357, Act no. 97-671

Drivers' licenses suspended or revoked, reinstatement fee increased -

SB 608, page 1030

Driving under the influence, \$100 fine, distribution to impaired drivers trust fund -

HB 76, pages 918, 1678, 2596, 2802, 2904, Act no. 97-556

Driving under the influence, distinctive license plates for multiple driving under the influence offenders, exemption for completion of chemical dependency program, mandatory imprisonment for fourth offense -

SB 451, pages 448, 787, 892

Driving under the influence, sentence enhanced if a child under the age of fourteen is present in the vehicle at time of arrest -

SB 60, pages 24, 133, 854, 892

Driving with a revoked, cancelled, or suspended license, impoundment of vehicle, lien for towing, immunity to law enforcement officer -

SB 486, page 501

Firefighters, motor vehicle insurance not to increase based on accident in line of duty under certain conditions -

SB 455, pages 449, 1052

Foster care association or the ARC, distinctive license plates, distribution of fees, duties to revenue department, appropriation -

SB 22, pages 15, 379, 1838

Fraternal order of police, distinctive license plates to be issued to active members -

SB 66, pages 26, 180, 546, 623, 686, 723, 742, 3024, 3036, 3357, Act no. 97-596

Habitat for humanity, distinctive license plates, distribution of fees, duties to revenue department -

SB 510, pages 638, 873

Handicapped parking, enforcement by handicapped persons authorized -

SB 423, pages 349, 783

Handicapped parking, fines increased to include certain businesses, sign to contain amount of fine, distribution of proceeds -

SB 287, pages 81, 182, 442, 452, 453, 456, 472, 2582, 2587, 2624, 2893, 2959, 3026, 3357, Act no. 97-473

Helping schools tags, fee increased, proceeds to Penny trust fund -

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Indian Heritage, distinctive license plates, distribution of fees, duties to revenue Department, appropriation -

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Gasoline tax, state treasurer authorized to remit counties and municipalities share to paying agent, not to county or municipality -  
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Motor vehicle and fuel taxes and fees used for public transportation, CA -  
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Public officials authorized to purchase prior service in employees' retirement system if authorized by local constitutional amendment -

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Motor vehicles, aerospace teachers' association, distinctive license plates, distribution of fees, appropriation -

SB 149, pages 48, 569

Motor vehicles, Alabama sports festival, incorporated, distinctive license plates, distribution of fees, appropriation -

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Motor vehicles, Alabama wildlife federation, distinctive license plates, distribution of fees, appropriation -

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Motor vehicles, architects, distinctive license plates, distribution of fees, appropriation -

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Motor vehicles, including recreational vehicles, retired military,  
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Motor vehicles, Kiwanis international, distinctive license plates  
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HB 465, pages 2251, 2464, 3322, 3352, Act no. 97-545

Motor vehicles, Indian Heritage, distinctive license plates, distri-  
bution of fees, appropriation -  
HB 90, pages 2454, 2570, 3323, 3351, Act no. 97-470

Motor vehicles, non-game wildlife preservation, distinctive license plates, distribution of fees, non-game wildlife preservation committee established -  
SB 469, pages 495, 931

Motor vehicles, realtors, distinctive license plates, authorized, distribution of fees -  
HB 701, pages 1707, 2054, 3139, 3341, Act no. 97-467

Motor vehicles, shriners, educators, and retired educators, distinctive license plates, certain persons to purchase, including spouses, distinctive license plates, distribution of fees, duties to revenue department -  
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Motor vehicles, Sistas can survive coalition, distinctive license plates, distribution of fees, appropriation -  
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Motor vehicles, sororities and fraternities, distinctive license plates, distribution of fees, appropriation -  
HB 49, pages 2282, 2464

Motor vehicles, sports festival, incorporated, distinctive license plates, distribution of fees, appropriation -  
HB 603, pages 1708, 2141, 3314, 3348, Act no. 97-544

Motor vehicles, rural letter carriers association, distinctive license plates, distribution of fees -  
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Motor vehicles, spouses of deceased retired military person may retain distinctive license plates -  
SB 105, pages 35, 140

Motor vehicles, temporary tag for vehicle sold in Alabama by manufacturer to be permanently licensed in another jurisdiction, distribution of revenue to county road and bridge fund -  
HB 394, pages 816, 1049

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SB 261, pages 75, 783

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Sales and use tax, limit on successor liability of a bona fide purchaser -  
SB 684, pages 1504, 1894

Sales and use tax, transactions exempt from use tax if sales tax paid by purchaser -  
SB 689, page 1687  
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Tax appeals commission established to hear appeals from decisions of revenue department, local tax assessment under certain conditions, administrative division of revenue department abolished -  
SB 534, pages 715, 879

Tax returns, electronic filing authorized -  
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SB 343, pages 150, 520  
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Trucks used by farmers, tag for trucks and truck tractors up to 80,001 pounds and over -  
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Property, former owner may collect produce that falls from trees on adjacent property -  
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Abandoned children, jurisdiction and service of process, Heather act established -  
SB 680, pages 1503, 1671, 1882, 1930

## RUN-OFF ELECTIONS



Elections, dates for presidential preference primaries, primary elections, deadline for qualifying for primaries, and, established -  
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## SAFE STATE

Indoor lead hazard reduction, health department administration program, certification of contractors, fees, criminal penalties -  
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## SAFETY BELT USE ACT

Motor vehicles, seat belt usage required, enforcement effective January 1, 1997, warning ticket until January 1, 1997, unless another violation -  
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Alcoholic beverages, beer and wine for personal or family use, production of authorized under certain conditions, penalties -  
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Service contracts regulated for consumer protection, reimbursement insurance policies regulated, insurance commissioner to administer -  
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Alabama high school athletic association, exempt from state, county, and municipal -  
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Anniston fellowship house, incorporated, Wings of life, incorporated, Jacksonville Christian outreach center, incorporated, Do

Da parade, Lee county human society, and Huntsville emergency medical services, incorporated, sales and use tax exempt -  
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Association of volunteer fire departments, incorporated, rural community fire protection institute, sixty-seven county volunteer fire associations, and ten district fire associations exempt from ad valorem, sales and use tax -  
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Council on substance abuse-NCADD, sales and use tax exempt -  
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Do Da parade in Birmingham, sales and use tax exempt -  
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Elevator escalator safety foundation, sales and use tax exempt -  
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Emergency medical service organizations, sales and use tax exempt -  
SB 128, pages 42, 523

Eyeglasses, contact lenses, and certain ophthalmic devices exempt from state, county, local sales tax -  
SB 59, pages 24, 139, 1754, 1795, 1902

First night Mobile, exempt from state, county and municipal sales and use tax -  
SB 610, page 1030

Food exempt, state rate increase phased in, counties and municipalities may not raise rates -  
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Helping hands of Enterprise incorporated exempt from state, county,  
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HB 736, pages 2254, 2574

Internet suppliers and users, exempt from all state, county and  
municipal tax -  
SB 309, pages 114, 181, 411, 421, 440

Knox concert series, exempt from all state, county and municipal  
sales and use tax -  
SB 112, pages 37, 522

Lee county cattlemen's association rodeo exempt from state, county  
and municipal sales and use tax -  
SB 558, pages 868, 1054  
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Lee county humane society, sales and use tax exempt -  
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Little sisters of the poor, exempt from state, county, and municipal  
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SB 62, pages 25, 669, 854, 892

Local taxes, conform to state, collection by revenue department  
altered, forms altered -  
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Merkos L'Inyonie Chinuch of Alabama exempt from state, county  
and municipal sales and use tax -  
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SB 61, pages 25, 379

Resources for independence, incorporation, exempt from state,  
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Sales tax, discount limited per license holder, revenue pledged to  
repay bonds of Alabama state parks system improvement cor-  
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SB 685, page 1650  
HB 1031, pages 2116, 2472

Tax audits, local government and private auditing firms regulated -  
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The Bridge, incorporated, sales and use tax exempt -  
SB 542, pages 793, 874, 1379, 1380, 2511, 2543, 2624, Act  
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Theodore athletic association and Boykin park athletic association,  
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Transactions exempt from use tax if sales tax paid by purchaser -  
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United cerebral palsy, state, county and municipal sales and use  
tax exempt -  
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United daughters of the confederacy exempt from state, county,  
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Wiregrass children's home, exempt from all state, county and mu-  
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Motor vehicles passing school bus that is stopped, violation charged  
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## SCHOOL OF FINE ARTS

Computer technology, portion of public school fund allocated to  
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## SCHOOL OF MATHEMATICS AND SCIENCE

Computer technology, portion of public school fund allocated to public schools and certain other schools, criminal penalties -  
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## SCHOOLS

Alabama public school and college authority, issuance of \$125 million in bonds to implement the Alabama technology plan for K-12 education, excise taxes pledged for repayment, appropriation -  
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American heritage education act established, American heritage appreciation program of study required -  
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Boards of education, city or county, may use capital outlay appropriation to offset hold harmless reduction based on salary increases -  
SB 311, pages 115, 521, 1814

Children, missing children bureau renamed Alabama center for missing and exploited children, duties, schools to report first time enrollment -  
SB 514, pages 639, 1156, 1483, 2506, 2507  
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Class 1 municipalities, board of education, election from nine single member districts, referendum -  
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Class 4 municipalities, city board of education, election and operation of board, legislature may approve by local law -  
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Computer technology, portion of public school fund allocated to public schools and certain other schools, criminal penalties -  
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Education, city boards of transportation of students within two miles from school -

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Education department, appropriation to, for local boards of education, all appropriations from education trust fund for noneducational purposes conditional until this appropriation paid -

SB 97, page 33

Education employees, criminal background checks provided -

SB 516, pages 640, 1050

Education revisions act of 1997, funding study council and facilities study committee established -

SB 609, pages 1030, 1683, 1809

Education, school uniforms, state board of education required to adopt statewide uniform dress code policy -

SB 81, pages 30, 132

Education, sign language credited as foreign language -

SB 552, page 867

Education, students with illegal drugs, alcohol, or deadly weapon expelled for one school year, attendance of alternative school -

SB 58, page 24

Education trust fund established in state constitution, annual education budget, appropriation only to public education, appropriation of state use tax to public health and education, CA -

SB 325, page 118

Educational institutions, boards of education and those under state

board of education, posting of notices for job openings required -  
SB 410, pages 346, 677  
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SB 547, pages 865, 1682

High school graduation examination, state board of education to make available to nonpublic high schools for reasonable fee -  
SB 192, pages 59, 181, 442, 458

Higher education equipment loan authority established, bonds authorized -  
SB 335, pages 121, 784, 1920, 1929  
HB 277, pages 1208, 1511, 1927, 1928, 2097, 2097, 2486, 2577, Act no. 97-388

Income tax credit authorized for parents with children in private schools or home schooled -  
SB 519, page 641

Insurance for full replacement value through the state of Alabama risk management division -  
HB 384, pages 625, 1676

Local boards of education, public meetings required before adoption of annual budget -  
SB 515, pages 640, 1050, 1746, 1747, 1754, 3272, 3331, 3357, Act no. 97-624

Local boards of education, reduction-in-force policy regarding layoffs and recalls, adoption required -  
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Motor vehicles passing school bus that is stopped, violation charged to owner of motor vehicle, exception -  
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Parental responsibility, liability of parent or guardian for malicious acts of minors, exceptions, mitigating circumstances -  
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Prayer, daily instruction on procedures of U. S. congress, including opening prayer, CA -  
SB 503, pages 563, 792

Preferential treatment in the operation by the state of public employment, education, or contracting prohibited, CA -  
SB 477, pages 498, 932

Public school employees, personnel files to be open for review by -  
SB 420, pages 349, 678, 892  
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Public schools required to display U. S. constitution, declaration of independence and ten commandments -  
SB 485, pages 501, 782

Released time programs for moral and religious instruction, local board of education to establish, policies, minimum requirements -  
SB 647, page 1193

Safe school land trust fund established to purchase and develop public parks and spaces adjoining junior and senior high schools, appropriation -  
SB 218, page 65

Schools, colleges and universities, possession of weapon in safe school zone or at school function prohibited -  
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State board of education, conditional appropriation for distribution to local boards of education to offset additional costs of salary increase in lieu of hold harmless funding under -  
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Supplies, local boards of education to allocate funds to schools or teachers for purchase or equipment or electrical equipment -  
HB 757, pages 1171, 1677

Surplus property, sale and disposal of personal computers to schools at no charge -  
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Teachers, local boards of education required to pay 100 percent of the state salary matrix -  
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Technology and portable classroom elimination act for K-12 education, bond issue -  
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## SCOTTISH RITE MASONS

Distinctive license plates for masons, eastern star, emergency medical technicians, and supporters of boy scouts, girl scouts, and, distribution of fees, portion to Penny trust fund, duties to revenue department, appropriation -  
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## SEAFOOD

Retail grocery stores exempt from licensing requirements regarding purchase of fresh or frozen seafood from a licensed dealer -  
SB 68, pages 26, 137

## SEAT BELTS

Motor vehicles, usage required, enforcement effective January 1, 1997, warning ticket until January 1, 1997, unless another violation -  
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Acts of Alabama, distribution by secretary of state altered, recipient may refuse -  
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Fees for certain services altered -

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Limited partnerships and foreign limited partnerships, name may include abbreviation L.P. -

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Special agents, appointment, law enforcement powers -

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Legislative employees, employment, compensation, duties regulated -

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Death sentences appealed directly to Alabama supreme court by-passing court of criminal appeals -

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SEVEN DEADLY SINS ACT

Juveniles, ages 13-16, certain offenses handled in adult court sentenced as a juvenile and adult -  
SB 624, page 1137

SEX OFFENDER INCARCERATION ACT OF 1997

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SB 473, pages 497, 1889

SEX OFFENDERS

Chemical castration authorized on probation or parole -  
SB 333, pages 120, 371, 442, 444

Community notification act, provisions -  
SB 681, pages 1503, 1672

Computers, solicitation of children under sixteen for sexual acts, use prohibited, penalties -  
SB 476, pages 498, 1154, 1474, 1475, 1485, 3049, 3080, 3357,  
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Juvenile sex offenders, children's service facilitation team to develop treatment and rehabilitation programs, youth services department to prepare discharge plan, juvenile sex crime rehabilitation act established -  
SB 499, pages 562, 1154

Parental rights, terminated for conviction of crimes involving children and for drug use -  
SB 690, pages 1688, 1891

Sex offender incarceration act of 1997 established, mandatory sentences, parole or early release and expunging of criminal records prohibited -  
SB 473, pages 497, 1889

SEXUAL ABUSE

Sexual offense, rape in first degree, deviate sexual intercourse and sexual abuse where victim is less than twelve amended to include victim age twelve, common law marriage not a defense to sexual offense -  
SB 421, pages 349, 869

Sexually violent predators, procedure for commitment and release,  
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## SEXUAL VIOLENT PREDATOR ACT

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SB 532, pages 715, 873, 1457, 1458, 1459, 1485

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County law enforcement officers, minimum compensation -  
SB 87, pages 31, 228, 1937, 2221, 2223, 2225, 2232, 2233,  
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Fishing, prohibited from a public road or public right-of-way within  
certain distance of a commercial fish pond, penalties and for-  
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Law enforcement officers giving citations for moving traffic viola-  
tions to be certified by peace officers' standards and training  
commission, effective January 1, 1998 -  
SB 583, pages 1023, 1680

## SHOALS ENTREPRENEURIAL CENTER

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SB 35, page 18  
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## SPORTS FESTIVAL, INCORPORATED

Distinctive license plates, distribution of fees, duties to revenue  
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SB 246, pages 71, 136, 687, 725, 855, 893

## SPORTS HALL OF FAME

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to receive payment for certain amount unused sick leave at re-  
tirement or to convert into membership service -  
HB 459, pages 1143, 1357

State employees, donation of sick leave authorized for catastrophic  
illness -  
SB 312, pages 115, 373

State employees, sick leave paid upon early retirement -  
SB 289, pages 82, 1361  
HB 311, page 1546

Teachers' retirement system, payments for sick leave to beneficia-  
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SB 315, page 115  
SB 450, pages 447, 567, 1423  
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Teachers' retirement system, transfer of sick leave among mem-  
bers authorized to allow certain members to qualify for retire-  
ment -  
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Teachers, school employees, unused personal leave days may to be  
converted to sick leave -  
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HB 131, pages 812, 1685, 3090, 3142, 3340

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for sickle cell program -  
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#### SIMPSON-MAY CEREBRAL PALSY CENTER

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ment center, united cerebral palsy, Huntsville, Mobile, cere-  
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#### SIMULCASTING

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#### SISTAS CAN SURVIVE COALITION

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SB 339, pages 149, 375

## SORORITIES

Motor vehicles, fraternities and, distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
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Archives and history department, commission to preserve the peace, and, records transferred to Birmingham civil rights institute -  
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## SPACE SCIENCE EXHIBIT COMMISSION

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**SPORTS FESTIVAL, INCORPORATED**

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**Distinctive license plates, distribution of fees, duties to revenue department, appropriation -**

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**SPORTS HALL OF FAME**

**Attorney general, department of corrections, finance department, various state agencies, supplemental appropriation -**

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extended, conservation and natural resources department com-  
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vertising requirements clarified, dental referral service regu-  
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## STATE TREE



Southern longleaf pine species designated as official -  
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Home builders licensure board, sunset law review continued -

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Medical examiners board, and medical licensure commission, sunset law review continued -

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Speech pathology and audiology, board of examiners in, sunset law review continued -

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SB 438, pages 353, 515, 724, 752, 762, 1636, 1705, 1779, 2098, 2102, 2185, Act no. 97-279

Ad valorem tax, limit on maximum amount of income by elderly increased -  
SB 453, pages 448, 787

Ad valorem tax, mortgage and recording tax, abatement, county, or municipal government as a party to document, removed -  
SB 98, page 33

Ad valorem tax, recording and certain sales taxes, period of abatement extended -  
SB 446, pages 446, 671

Alabama basketball foundation, ad valorem tax exempt -  
SB 119, page 40

Alabama high school athletic association, state, county, and municipal sales and use tax exempt -  
SB 354, pages 154, 1053  
SB 434, page 352

Alabama public school and college authority, issuance of \$125 million in bonds to implement the Alabama technology plan for K-12 education, excise taxes pledged for repayment, appropriation -  
SB 475, pages 497, 1505

Alcoholic beverages, beer and wine for personal or family use, production of authorized under certain conditions, penalties -  
SB 4, page 10

Alcoholic beverages, malt or brewed beverages, stamps, crowns, or lids affixed thereto, removed -  
SB 250, pages 72, 139, 410, 412, 864, 886, 925, Act no. 97-146

Anniston fellowship house, incorporated, Wings of life, incorporated, Jacksonville Christian outreach center, incorporated, Do Da parade, Lee county human society, and Huntsville emergency medical services, incorporated, sales and use tax exempt -  
HB 336, pages 2454, 2574, 3309, 3334, 3354, Act no. 97-709

Association of volunteer fire departments, incorporated, rural community fire protection institute, sixty-seven county volunteer fire associations, and ten district fire associations exempt from ad valorem, sales and use tax -  
SB 467, pages 495, 787

Canned computer software defined, subject to sales and us tax, exceptions for research and experimentation, -  
HB 640, pages 1042, 1359, 2658, 2936, 3032

Canned computer software subject to sales and use tax -  
SB 384, pages 213, 380

Cellular radio telecommunication service tax, revenues appropriated for payment of principal and interest on bonds of Alabama revolving loan fund authority, CA -  
SB 611, pages 1134, 1361, 1748, 2514, 2543, 2624, Act no. 97-356

Cellular services tax, appropriation for payment on bonds of Alabama revolving loan fund authority -  
SB 19, pages 14, 130, 443, 471, 472

Cellular telephones regulated by public service commission -  
SB 73, page 27

Class 1 municipalities, regional public system established, including surrounding counties, duties, powers, authority, revenue bonds, referendum, sales tax to fund -  
SB 658, pages 1195, 1670  
HB 915, pages 2192, 2477, 2924, 3159, Act no. 97-678

Class 8 municipalities, coal tax, limitation on distribution removed -  
SB 536, pages 716, 873, 1281

Coal severance tax, disbursement -  
SB 630, pages 1188, 1680, 1855, 3143, 3191, 3357, Act no. 97-615

Council on substance abuse-NCADD, sales and use tax exempt -  
SB 357, pages 154, 786

County tax officials authorized to join employees' retirement system, supernumeraries phased out, CA -  
SB 268, pages 76, 372, 545, 623, 687, 725, 855, 893, 1807

Do Da parade in Birmingham, sales and use tax exempt -  
SB 228, pages 67, 572

Elevator escalator safety foundation, state, county, and municipal, sales and use tax exempt -  
SB 355, pages 154, 786

Emergency medical service organizations, sales and use tax exempt -  
SB 128, pages 42, 523

Eyeglasses, contact lenses, and certain ophthalmic devices exempt from state, county, local sales tax -  
SB 59, pages 24, 139, 1754, 1795, 1902

First night Mobile, exempt from state, county and municipal sales and use tax -  
SB 610, page 1030

Foreign adoption agencies, regulations -  
SB 677, pages 1502, 1890

Gasoline tax, public transportation, distribution -  
SB 262, page 75

Gasoline tax, state treasurer authorized to remit counties and municipalities share to paying agent, not to county or municipality -  
SB 628, pages 1187, 1364

Health maintenance organizations subject to premium tax rates for health insurers -  
HB 236, pages 566, 671, 1479, 1498, Act no. 97-227

Helping hands of Enterprise incorporated exempt from state, county, and municipal sales and use tax -  
HB 736, pages 2254, 2574

Highways, bond issuance by Alabama highway authority for construction -  
SB 544, page 793  
HB 775, pages 1631, 2462

Income tax, certain retirement allowances exempt -  
SB 633, pages 1189, 1362

Income tax, corporations, credits for certain investments altered -  
SB 488, pages 558, 672, 1240, 1307, 2446, 2513, 2516, Act no. 97-446

Income tax credit authorized for parents with children in private schools or home schooled -  
SB 519, page 641

Income tax deduction for college tuition, public and private, in-state schools -  
SB 138, pages 45, 131

Income tax, federal grantor rules applicable in determining net income -  
SB 304, pages 113, 183, 1488, 1698, 1698, 1699, 1700, 1723, 1874

Income tax, minimum limits for filing increased -  
SB 406, pages 345, 786, 1297



Income tax refund checkoff for certain mental health advocacy groups -

SB 573, pages 1020, 1675

HB 792, pages 2380, 2469, 3297, 3349, Act no. 97-631

Income tax, treatment of common trust funds, conversions of common trust funds to mutual funds, retroactive effect -

SB 305, pages 113, 183, 711, 717

HB 373, pages 616, 672, 721, 722, 1432, 1450, Act no. 97-194

Income tax treatment of subchapter S corporations to conform to federal tax code, delete individuals from Alabama multistate tax compact -

SB 598, pages 1027, 1153, 1460, 3210, 3331, 3357, Act no. 97-625

Insurance premium tax, certain credits removed from tax liability -

SB 504, pages 564, 790

Internet suppliers and users, exempt from all state, county and municipal tax -

SB 309, pages 114, 181, 411, 421, 440

Jitney buses, state registration fees and license taxes abolished -

SB 143, pages 46, 138, 546, 855, 893

HB 88, pages 565, 672, 1300, 1301, 1335, Act no. 97-177

Knox concert series, exempt from all state, county and municipal sales and use tax -

SB 112, pages 37, 522

Lee county cattlemen's association rodeo exempt from state, county and municipal sales and use tax -

SB 558, pages 868, 1054

HB 1078, pages 2107, 2278, 2898, 3108, Act no. 97-517

Lee county humane society, sales and use tax exempt -

SB 517, pages 641, 788

Legislation imposing a tax or license fee would require two-thirds of all members in each house to approve, CA -

SB 480, pages 499, 1357

Little sisters of the poor, exempt from state, county, and municipal sales and use tax -

SB 62, pages 25, 669, 854, 892

Local taxes, conform to state, collection by revenue department altered, forms altered -  
SB 513, pages 639, 878

Medical equipment, definition altered to include prosthesis for exemption from certain taxes -  
SB 26, pages 16, 130, 411, 429

Merkos L'Inyonie Chinuch of Alabama exempt from state, county and municipal sales and use tax -  
SB 577, page 1021

Mobile area chamber of commerce foundation, incorporated, ad valorem tax exempt -  
SB 551, page 867

Mobile lodge #108, exempt from all state, county, and local ad valorem taxes -  
SB 74, page 28

Motor vehicle and fuel taxes and fees used for public transportation, CA -  
SB 595, pages 1027, 1679  
SB 622, pages 1137, 1362

Motor vehicles, shriners, educators, and retired educators, distinctive license plates, certain persons to purchase, including spouses, distinctive license plates, distribution of fees, duties to revenue department -  
SB 524, page 712  
HB 724, pages 2248, 2465

Municipalities, police jurisdiction, levy of license taxes and sales and use taxes, costs calculation, procedure to terminate services and tax -  
SB 487, pages 558, 1666

Nursing facility beds, privilege tax increase, distribution to medic-aid -  
HB 1027, pages 1705, 2052

Prepaid affordable college tuition program exempt from state and local taxes -  
SB 411, pages 346, 515  
HB 467, pages 2241, 2466, 3329, 3354, Act no. 97-547

Resources for independence, incorporation, exempt from state, county, and municipal sales and use tax -  
SB 604, page 1029

Revenue department permanent legislation oversight committee created, duties, compensation -  
SB 364, pages 156, 514

Sales and use tax, certain definitions clarified -  
SB 588, pages 1024, 1675  
HB 917, pages 2264, 2574, 2792, 2962, Act no. 97-648

Sales and use tax, food exempt, state rate increase phased in, counties and municipalities may not raise rates -  
SB 433, page 352

Sales and use tax, limit on successor liability of a bona fide purchaser -  
SB 684, pages 1504, 1894

Sales and use tax, prescription eyewear exempt -  
SB 61, pages 25, 379

Sales and use tax, transactions exempt from use tax if sales tax paid by purchaser -  
SB 689, page 1687  
HB 1012, pages 1713, 2058, 2200, 2225, Act no. 97-301

Sales tax, discount limited per license holder, revenue pledged to repay bonds of Alabama state parks system improvement corporation -  
SB 685, page 1650  
HB 1031, pages 2116, 2472

Severance or termination pay, income from supplemental income plan exempt from state, county, and municipal income tax -  
HB 636, pages 2242, 2462, 3317, 3350, Act no. 97-705

Small businesses, income tax deduction, conditions and limitations -  
SB 150, page 48

State income tax credit, employers who employ and provide health insurance to persons receiving temporary assistance for needy families, credit for child care -  
SB 459, pages 451, 675, 937, 1106, 1107

Tax appeals commission established to hear appeals from decisions of revenue department, local tax assessment under certain conditions, administrative division of revenue department abolished -

SB 534, pages 715, 879

Tax assessors, collectors, revenue commissioners, minimum compensation increased, fees increased -

SB 9, page 11

SB 12, pages 13, 782, 894, 1462, 1488

Tax audits, local government and private auditing firms regulated -

SB 523, pages 642, 879

Tax credits and exemptions for certain corporations employing recipients of assistance in eligible counties, Alabama development office, Alabama department of economic and community affairs to administer -

SB 456, pages 449, 674, 937, 1111

Tax incentive reform act established, abatement of certain property taxes authorized by counties and municipalities -

SB 494, pages 560, 673, 854, 892, 1227, 1231, 1232, 1309, 2292, 2455

Tax returns, electronic filing authorized -

SB 342, pages 150, 520

SB 343, pages 150, 520

HB 405, pages 797, 934, 2633, 2901, Act no. 97-493

The Bridge, incorporated, sales and use tax exempt -

SB 542, pages 793, 874, 1379, 1380, 2511, 2543, 2624, Act no. 97-420

Theodore athletic association and Boykin park athletic association, exempt from all state, county and municipal sales and use tax -

SB 76, page 28

Toll road authority extensively revised, powers of transportation department, bond issue, supplemental gas tax pledged -

SB 118, pages 39, 140, 1750

Trucks used by farmers, tag for trucks and truck tractors up to 80,001 pounds and over -

HB 344, pages 1129, 2140

United cerebral palsy, state, county and municipal sales and use tax exempt -  
SB 614, page 1135

United daughters of the confederacy exempt from state, county, and municipal sales and use tax -  
SB 645, pages 1192, 2148

Volunteer fire, rescue or emergency medical services, income tax deduction for certain members -  
SB 402, pages 344, 1051, 1750, 1806

Welfare recipients, industrial development projects, income tax credit for employment of former -  
SB 99, page 34

Wiregrass children's home, exempt from all state, county and municipal sales and use tax -  
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Boards of education, city or county, may use capital outlay appropriation to offset hold harmless reduction based on salary increases -  
SB 311, pages 115, 521, 1814

Boards of education, county and city required to adopt local salary schedule based on a minimum of 100 percent of state salary matrix -  
SB 432, pages 352, 572

Disruptive students, local boards of education required to define disruptive behavior, penalties include in-school suspension, parents attend class, disciplinary school, boot camp established by local board -  
SB 461, pages 451, 677

Education budget, appropriation for support, maintenance, and development of public education -  
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Local boards of education, reduction-in-force policy regarding layoffs and recalls, adoption required -

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Local boards of education required to pay 100 percent of the state salary matrix -

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Motor vehicles, shriners, educators, and retired educators, distinctive license plates, certain persons to purchase, including spouses, distinctive license plates, distribution of fees, duties to revenue department -

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Public school employees, personnel files to be open for review by -

SB 420, pages 349, 678, 892

HB 573, pages 1144, 1677

Retirement system, payments for sick leave to beneficiaries of certain deceased members -

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Retirement system reopened for prior service with American federation of teachers -

SB 418, pages 348, 786, 1470, 1471

HB 457, pages 2327, 2471

Retirement system reopened for purchase of prior service credit with job corps -

SB 25, pages 16, 128

Retirement system, time period for purchasing service credit for maternity leave extended -

SB 409, pages 346, 1675

School employees, unused personal leave days may be converted to sick leave -

SB 348, pages 152, 677, 1472, 2594, 2594, 2624, Act no. 97-444

HB 464, pages 919, 1677

School supplies, local boards of education to allocate funds to schools or teachers for purchase or equipment or electrical equipment -

HB 757, pages 1171, 1677

State board of education, conditional appropriation for distribution to local boards of education to offset additional costs of salary increase in lieu of hold harmless funding under -

SB 310, pages 114, 1682

## TEACHERS' RETIREMENT SYSTEM

American federation of teachers authorized to participate -

SB 418, pages 348, 786, 1470, 1471

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Employees' and, members authorized to receive payment for certain amount unused sick leave at retirement or to convert into membership service -

HB 459, pages 1143, 1357

Foundation for local schools established, legislature may appropriate to, investment and distribution of funds, state-sponsored credit card program, distribution of proceeds, Letson grants -

SB 547, pages 865, 1682

Payments for sick leave to beneficiaries of certain deceased members -

SB 315, page 115

SB 450, pages 447, 567, 1423

HB 51, page 2428

Purchase of prior service with district attorney's office authorized -

SB 561, pages 928, 1675

Purchase of service credit with Auburn university cooperative extension service -

HB 150, pages 1199, 1678, 3319, 3350, Act no. 97-637

Reopened for purchase of credit for service to a nonparticipating employer under the employees' retirement system -

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Reopened for purchase of prior service credit with job corps -

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State employees, sick leave paid upon early retirement -  
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Time period for purchasing service credit for maternity leave extended -  
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Transfer of sick leave among members authorized to allow certain members to qualify for retirement -  
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#### TECHNOLOGY AND PORTABLE CLASSROOM ELIMINATION ACT FOR K-12 EDUCATION

Established -  
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#### TELECOMMUNICATIONS

Cellular radio telecommunication service tax, revenues appropriated for payment of principal and interest on bonds of Alabama revolving loan fund authority, CA -  
SB 611, pages 1134, 1361, 1748, 2514, 2543, 2624, Act no. 97-356

Cellular services tax, appropriation for payment on bonds of Alabama revolving loan fund authority -  
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Telephones, long distance service, unauthorized switching prohibited, public service commission to enforce, penalties -  
SB 133, pages 43, 138, 623, 725, 855, 893, 1454, 1469, 2414, 2415, 2516, Act no. 97-412

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Telephone solicitations based on unauthorized use of name Alabama state trooper or highway patrol, class C felony, violation of Alabama telemarketing act -  
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Attorney general, toll-free telephone number authorized for reporting violations of Americans with disabilities act -  
SB 292, pages 83, 182, 442, 457, 2583, 2587, 2624, 3187



Business helper resource office established within economic and community affairs department, hotline established -  
SB 464, page 494

Carriers, forgery to change without knowledge of telephone customer -  
SB 362, pages 156, 229

Cellular telephones regulated by public service commission -  
SB 73, page 27

Communication districts, imposition of penalties for failure to post identification on property for E-911 purposes -  
HB 1081, pages 2248, 2466

Emergency telephone (E-911), service charge, supplier to include wireless telephone, administrative fee increased -  
SB 694, page 1730

Harassment and harassing communications, specify that criminal elements are mutually independent -  
HB 270, pages 1171, 1670, 2628, 2901, Act no. 97-552

Long distance service, unauthorized switching prohibited, public service commission to enforce, penalties -  
SB 133, pages 43, 138, 623, 725, 855, 893, 1454, 1469, 2414, 2415, 2516, Act no. 97-412

## TELEVISION

Class 1 municipalities, racing commission, simulcasting authorized -  
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Motor vehicles, foster care association or, distinctive license plates, distribution of fees, duties to revenue department, appropriation -  
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Sales and use tax exempt -  
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## THE CONSENT TO ABORTION ACT

Abortions prohibited without voluntary and informed consent, what constitutes consent specified, public health department to develop consent forms, civil and criminal penalties, right of intervention -

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## THEODORE ATHLETIC ASSOCIATION

Boykin park athletic association, and, exempt from all state, county and municipal sales and use tax -

SB 76, page 28

## TOBACCO

Cigarettes and other tobacco, sales to minors, alcoholic beverage control board to enforce, penalties on sales and purchases -

SB 300, pages 112, 373, 545, 622, 685, 687, 697, 700, 2520, 2577, 2624, Act no. 97-423

Distribution to minors, penalties increased -

SB 243, pages 70, 139

## TOLL ROADS AND BRIDGES

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## TORT REFORM

Accountants, plaintiff with cause of action against must be in privity of contract with accountant -

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SB 376, page 159

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SB 377, page 160

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SB 251, pages 72, 127

Damages for emotional and mental distress limited -  
HB 301, page 511

Fraud, civil actions altered -  
HB 302, pages 511, 2054

Punitive damages, cap imposed, no cap for wrongful death or will-  
ful conduct -  
SB 618, page 1136

Punitive damages, caps imposed three times compensatory dam-  
ages not to exceed \$750,000 -  
HB 299, page 512

Punitive damages limited in cases with wanton or reckless conduct,  
unlimited in wrongful death actions -  
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Venue, foreign and domestic corporations sued where principal place  
of business is located -  
SB 527, page 713

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SB 89, pages 31, 228, 722, 768, 1313

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Civil liability, physicians and nurses volunteering service at free  
medical clinics without compensation, immunity -  
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Nurses, cause of action for whistleblowing established -  
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SB 605, pages 1029, 1668

Punitive damages limited in cases with wanton or reckless conduct,  
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Sport shooting ranges, nuisances, no right of action -  
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State law suit commission established, duties, powers, reporting  
requirements -  
SB 238, page 69

Volunteer health care provider program established, volunteer providers and facilities in need matched, volunteer state employees for purposes of immunity -  
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## TOURISM

U.S.S. Alabama battleship commission, terms, powers, duties, meetings, employee benefits, battleship fund -  
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## TOURISM AND TRAVEL BUREAU

Reopened for purchase of prior service credit with a welcome center -  
HB 89, pages 1127, 1678, 2945, 3276, Act no. 97-691

## TRADE SCHOOLS

Construction industry work force act, education program in vocational, technical, trade schools, and colleges, permit surcharge to fund program -  
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Alabama-Coosa-Tallapoosa river basin compact established -  
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Apalachicola-Chattahoochee-Flint river basin compact, established -  
SB 180, pages 56, 182  
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Class 1 municipalities, regional public transit system established, including surrounding counties, duties, powers, authority, revenue bonds, referendum, sales tax to fund -  
SB 658, pages 1195, 1670  
HB 915, pages 2192, 2477, 2924, 3159, Act no. 97-678

Education, city boards of transportation of students within two miles from school -  
SB 277, pages 78, 676

Jitney buses, state registration fees and license taxes abolished -  
SB 143, pages 46, 138, 546, 855, 893  
HB 88, pages 565, 672, 1300, 1301, 1335, Act no. 97-177

Motor vehicle and fuel taxes and fees used for public transportation, CA -  
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SB 622, pages 1137, 1362

Railroad companies required to maintain crossings on private property, cause of action for failure to maintain -  
HB 1099, pages 2445, 2571

Taxation, gasoline tax, public transportation, distribution -  
SB 262, page 75

#### TRANSPORTATION DEPARTMENT

English measurement system required for all measurements -  
SB 392, pages 215, 378, 443, 471

Motor vehicles, oversized loads, front and rear escort required, flashing lights -  
SB 259, page 74

Required to maintain English system mile markers, removal prohibited -  
SB 530, pages 714, 791

Toll road authority extensively revised, powers of transportation department, bond issue, supplemental gas tax pledged -  
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SB 34, page 18  
HB 97, pages 1544, 1743, 2558, 2583, Act no. 97-424

#### TREASURER, STATE

Gasoline tax, treasurer authorized to remit counties and municipalities share to paying agent, not to county or municipality -  
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Prepaid affordable college tuition program, exempt from state and local taxes -

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SB 36, page 19

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Reorganization as the Troy state university system -

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Income tax, federal grantor rules applicable in determining net income -

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Income tax, treatment of common trust funds, conversions of common trust funds to mutual funds -

SB 305, pages 113, 183, 711, 717

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Established -

SB 580, page 1022

TUSKEGEE UNIVERSITY

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SB 205, page 62

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TWENTY-FIRST CENTURY YOUTH LEADERSHIP MOVEMENT

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SB 270, pages 76, 1681

#### U. S. CONGRESS

School prayer, daily instruction on procedures of congress, including opening prayer, CA -  
SB 503, pages 563, 792

#### U. S. CONSTITUTION

Courtrooms to display constitution, declaration of independence and ten commandments -  
SB 484, pages 501, 781, 1856

Public schools to display constitution, declaration of independence and ten commandments -  
SB 485, pages 501, 782

#### U.S.S. ALABAMA BATTLESHIP COMMISSION

Terms, powers, duties, meetings, employee benefits, battleship fund -  
SB 79, pages 29, 138  
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#### UNDERWATER CULTURAL RESOURCES ACT

Artifacts and archaeological treasures from shipwrecks from waters and submerged lands declared state cultural resources, underwater cultural resources act, contraband, salvage operations licensed, penalties, certain exemptions -  
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Microbusiness finance program established with Alabama department of economic and community affairs, appropriation -  
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Tax credits and exemptions for certain corporations employing recipients of assistance in eligible counties, Alabama development office, Alabama department of economic and community affairs to administer -

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#### UNEMPLOYMENT COMPENSATION

Benefits, locked-out employees entitled to receive -

SB 283, pages 80, 143

Eligibility, temporary employees required to notify temporary agency upon completion of assignment -

SB 493, pages 560, 1893

Industrial relations department, state director of new hires established to collect and maintain data to crossmatch with wage, unemployment, workers' compensation, and food stamp data -

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Investigation and disposing of insurance claims, insurance commissioner issues charges, exemptions -

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#### UNIFORM COMMERCIAL CODE

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SB 286, pages 81, 780

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#### UNIFORM TRANSFER ON DEATH SECURITY

Securities, registration act adopted, permits automatic transfer of



securities to beneficiary upon death of owner -  
HB 707, pages 1044, 1358, 3314, 3347, Act no. 97-703

#### UNINSURED MOTORIST

Insurance subrogation procedures established -  
SB 374, page 159

#### UNITED CEREBRAL PALSY

State, county and municipal sales and use tax exempt -  
SB 614, page 1135

#### UNITED CEREBRAL PALSY DEVELOPMENT CENTER

United cerebral palsy of Alabama, united cerebral palsy, Huntsville, Mobile, cerebral palsy housing foundation, Simpson-May cerebral palsy center, and, appropriation -  
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#### UNITED CEREBRAL PALSY OF ALABAMA

United cerebral palsy development center, united cerebral palsy, Huntsville, Mobile, cerebral palsy housing foundation, Simpson-May cerebral palsy center, and, appropriation -  
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#### UNITED CEREBRAL PALSY OF HUNTSVILLE

United cerebral palsy of Alabama, united cerebral palsy development center, Mobile, cerebral palsy housing foundation, Simpson-May cerebral palsy center, and, appropriation -  
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Russell county, 1995 Acts, Act no. 1995-573, planning commission established, membership appointments by county commission -  
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Shelby county, 1975 Acts, Act no. 1975-596, 1992 Acts, Act no. 1992-394, work release commission authorized to transport prisoners, exempt from certain liability -  
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Shelby county, 1993 Acts, Act no. 1993-529, court costs, distribution to juvenile court services fund and judicial administration fund -

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Shelby county, 1995 Acts, Act no. 1995-369, tax assessor and tax collector, unlimited extension of expense allowance -

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Shelby county, 1996 Acts, Act no. 1996-41, circuit and district court, court costs for county library, distribution directly to law library fund -

HB 910, pages 1550, 1899, 2836, 2965, Act no. 97-577

Sumter county, 1971 Acts, Act no. 1971-2464, pistol permit fee increased, distribution -

HB 807, pages 1046, 1220, 1381, 1436, 1637, 1658, Act no. 97-247

Tuscaloosa county, 1986 Acts, Act no. 1986-656, fire districts established, enlargement and contraction, elections, operation, service charges, annexation procedures -

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HB 1079, pages 2121, 2278, 2899, 3108

Tuscaloosa county, 1994 Acts, Act no. 1994-568, office of sheriff, chief jailer, compensation increased -

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Bullock county, 1985 Acts, Act no. 1985-897, pistol permit fee increased, distribution to sheriff's office -

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Butler county, 1988 Acts, Act no. 1988-321, pistol permit fee, sheriff's fund, distribution -

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Elmore county, 1911 Acts, Act no. 1911-10, commissioner's court requirement to publish minutes of meetings, abolished -  
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Geneva county, 1931 Acts, Act no. 1931-393, board of education, election from districts -  
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Jefferson county, Bessemer division, 1975 Acts, Act no. 1975-245, 1987 Acts, Act no. 1987-721, 1990 Acts, Act no. 1990-202, 1993 Acts, Act no. 1993-648, tenth judicial circuit, deputy district attorneys, appointment, powers, compensation increased -  
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Marion county, 1981 Acts, Act no. 1981-475, superintendent of education, board of education to set salary -  
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Marion county, 1982 Acts, Act no. 1982-245, bounties for beaver trappings, fund provided -  
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Mobile county, 1894 Acts, Act no. 1894-124, specifications for barbed wire fences -  
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Russell county, 1949 Acts, Act 1949-520, county commission established, election of members -  
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Tuscaloosa county, 1977 Acts, Act no. 1977-557, board of registrars, per diem compensation increased -  
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County commission, election ratified, local government study committee established, report regarding form of county government, referendum -  
SB 701, pages 1733, 2059, 2371, 2372

County commission, payment for meals and allowances for prisoners working for county -  
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County jail, per day court costs assessed against any person incarcerated, fees to sheriff's law enforcement fund -  
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Sheriff authorized to sell or destroy certain abandoned, stolen, and unclaimed property and firearms -  
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Sunday sales of alcohol, county commission or the affected municipality may authorize -  
SB 627, page 1187

Twenty-eighth judicial circuit, pre-trial intervention program established -  
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Board of health, fees for environmental services, approval by county commission -  
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Sheriff, county jail, operation of canteen and telephone system, distribution of funds -  
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Motor vehicle license and title division established, duties of tax assessor and collector transferred to judge of probate, fees -  
HB 1001, pages 1720, 2148, 2862, 3027, Act no. 97-654

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County commission authorized to assist in loading of sand, gravel, and chert for private roads for a fee -  
HB 1029, pages 2113, 2276, 2887, 2888, 3163, Act no. 97-611

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HB 977, pages 1904, 2147, 2860, 2861, 3031, Act no. 97-594

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Abatement of public nuisances, public hearings reduced, independent contractors authorized to abate nuisances, competitive bidding not required -

HB 812, pages 1168, 2060, 2848, 3028, Act no. 97-655

Adult day care program established for elderly for daily care and activities, licensure, inspections, fees, appropriation -

HB 991, pages 1719, 2275, 2881, 2958, 3158

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Anniston fellowship house, incorporated, sales and use taxes exempt -

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SB 641, pages 1191, 1365, 2339, 2909, 2955, 3357, Act no. 97-661

Blue Mountain, corporate limits altered -

HB 686, pages 1038, 2060, 2846, 3028, Act no. 97-511

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County commission authorized to regulate and license junkyards, accumulation of junk, including discarded tires prohibited, enforcement -

SB 640, pages 1190, 1365, 2334, 2335, 2336, 2386

County commission required to maintain and staff county maintenance barn at Piedmont, lodging tax levied -

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County supernumeraries phased out, authorized to join employees' retirement system, CA -  
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Fort McClellan development commission established to regulate property -  
SB 639, pages 1190, 1365, 1570, 1579, 1933, 2049, 2093,  
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HB 747, pages 1039, 1896, 2797, 2962, Act no. 97-568

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Primary election ballots, committee established to design and approve, CA -  
HB 166, pages 1167, 2060, 2845, 2937, 2966, Act no. 97-449

Sheriff may operate jail store and telephone system in county jail, distribution to sheriff's law enforcement fund -  
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Judge of probate, special recording fee on real and personal property -  
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HB 965, pages 1646, 1900, 2843, 2966, Act no. 97-652

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HB 1105, pages 2255, 2477, 2921, 3111, Act no. 97-604

Probate judge authorized to charge additional fee for marriage rites -

HB 966, pages 1902, 2147, 2859, 3030, Act no. 97-513

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Board of registrars, compensation increased -

HB 953, pages 1721, 2147, 2857, 3027, Act no. 97-653

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HB 954, pages 1722, 2062, 2849, 3031, Act no. 97-593

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County commission authorized to levy additional sales and use taxes, distribution -

HB 899, pages 1903, 2146, 2854, 2858, 2958, 3158, Act no. 97-605

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Butler county, 1988 Acts, Act no. 1988-321, pistol permit fee, distribution to sheriff's fund -  
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Elmore county, 1911 Acts, Act no. 1911-10, commissioner's court requirement to publish minutes of meetings abolished -  
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Geneva county, 1931 Acts, Act no. 1931-393, board of education, election from districts -  
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Lee county, supernumeraries phased out, participation in employees' retirement system authorized -  
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Limestone county, municipalities, planning and zoning not to extend beyond corporate limits -

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Mobile county, supernumerary offices, certain phased out, retirement for elected officials authorized -

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Pickens county, county commission authorized to levy ad valorem tax for fire protection, distribution to volunteer fire departments -

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St. Clair county, county commission authorized to levy ad valorem tax for fire protection and emergency medical services -

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Sumter county, county commission authorized to levy ad valorem tax for fire protection -

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Talladega county, county supernumeraries phased out, authorized to join employees' retirement system -

HB 470, pages 2188, 2474, 2910, 3156, Act no. 97-458

Walker county, employees of sheriff's office except chief deputy under authority of county civil service board -

HB 723, pages 1042, 1219, 1377, 1434, Act no. 97-175

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Sheriff authorized to sell abandoned and unclaimed property, including firearms, at public auction -

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Sheriff, expense allowance and compensation -

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Sheriff's pistol permit fee increased -

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County commission may reimburse probate judge or revenue commissioner for monetary loss -

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Board of education, election of members from five districts, excluding city of Fort Payne -

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County commission, election from single-member districts, full-time service, compensation -

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## ELMORE COUNTY

Commissioner's court requirement to publish minutes of meetings abolished -

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County commission authorized to levy additional sales and use taxes or license fees for certain period of time -

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Eclectic, corporate limits altered -

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County commission authorized to levy additional sales and use taxes -

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Medical examiner, office established in lieu of coroner -  
HB 860, pages 1561, 1897, 2801, 2963, Act no. 97-571

Sheriff authorized to operate a jail store, distribution of funds, audit by examiners of public accounts -  
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County commission or private entity authorized to collect county sales and use taxes, distributed annually -  
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Sheriff, compensation increased -

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Board of education, compensation increased -

HB 935, pages 1558, 1899, 2838, 2965, Act no. 97-503

Boligee, corporate limits altered -

HB 936, pages 1559, 1899, 2839, 2965, Act no. 97-504

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Judge of probate, additional filing fees, distribution -

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Judge of probate authorized to levy processing fee for printing list of privilege license holders -

HB 31, pages 626, 2060, 2844, 2845, 3028, Act no. 97-510

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Sheriff authorized to sell certain unclaimed property and firearms, distribution of proceeds -

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Work release, community corrections officers required to complete peace officers' standards and training, arrest powers -

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- Record, mr. James, of Huntsville, death mourned -  
HJR 36, pages 166, 192, Act no. 97-11
- Reeves, mrs. Margaret Rutledge, of Gadsden, death mourned -  
HJR 324, pages 1570, 2305, 2394, Act no. 97-370
- Roberts, mr. Verner O., of Trussville, death mourned -  
HJR 27, pages 161, 194, Act no. 97-22
- Serrano, mr. Dale, of Vestavia Hills, death mourned -  
SJR 100, pages 1223, 1387, 1495, 1513, Act no. 97-211
- Smith, mr. Fred LaCoy, of Mobile, death mourned -  
HJR 44, pages 167, 193, Act no. 97-14
- Thomas, dr. Benjamin Franklin, jr., of Auburn, death mourned -  
SJR 13, pages 122, 362, 417, 436, Act no. 97-53
- Turner, mr. Granville, of Toney, death mourned -  
HJR 5, pages 163, 193, Act no. 97-16
- Ulbricht, mr. Frederick W., of Birmingham, death mourned -  
HJR 215, pages 804, 858, Act no. 97-122
- Wallace, mrs. Alice Gray, death mourned -  
HJR 195, pages 847, 884, Act no. 97-128
- Washington, mr. Oliver, II, of Mobile, death mourned -  
SJR 113, pages 1654, 1704, 1724, 1924, Act no. 97-239  
HJR 392, pages 2175, 2229, Act no. 97-317
- Williams, mr. Curtis Boyd, sr., of Blountsville, death mourned -  
SJR 20, pages 176, 363, 418, 436, Act no. 97-60
- Wilson, mr. Jerry, of Hamilton, death mourned -

SJR 29, pages 231, 363, 418, 436, Act no. 97-63

HJR 28, pages 162, 194, Act no. 97-23

Wilson, mrs. Mary Margaret, of Alabaster, death mourned -

HJR 366, pages 2136, 2226, Act no. 97-304

Yates, Shirley Jean Bohannon, of Gadsden, death mourned -

HJR 325, pages 1570, 2307, 2394, Act no. 97-371

## RESOLUTION, CONGRATULATORY

Abbott, coach Rudy, commended for his outstanding athletic achievements -

SJR 142, pages 2131, 2410, 2412, 2516, Act no. 97-350

HJR 547, pages 3257, 3343, Act no. 97-482

Agriculture and forestry leaders program and its class VI, commended for participating in a study institute on state government -

SJR 33, pages 383, 503, 536, 554, Act no. 97-70

HJR 143, pages 508, 548, Act no. 97-95

Alabama institute for deaf and blind, commended for its outstanding contributions to the state of Alabama and 1997 as the year of specialized schools designated -

HJR 74, pages 365, 890, 917, Act no. 97-138

Alabama state university honda campus all-star challenge team, commended for winning the 1997 national all-star challenge bowl -

HJR 360, pages 2178, 2230, Act no. 97-325

All-Alabama academic team, commended for their outstanding achievement -

HJR 252, pages 1198, 1248, Act no. 97-171

Alpha kappa alpha sorority, commended for its distinguished and longstanding service -

HJR 320, pages 1569, 1579, Act no. 97-223

Alvis, mrs, Margie, commended for distinguished service in the field of education -

HJR 275, pages 2069, 2303, 2393, Act no. 97-365

Anderson, mr. Willie, commended on his athletic accomplishments -



HJR 50, pages 197, 210, Act no. 97-7

Athens' bible school beta club, commended on its 1996 national  
Beta club talent championship -

HJR 263, pages 1393, 1449, Act no. 97-186

Auburn university men's swim team, commended as the 1997 NCAA  
national champions -

SJR 144, pages 2133, 2410, 2412, 2515, Act no. 97-352

Baker, dr. Delbert W., of Huntsville, commended as the 10th presi-  
dent of Oakwood college -

HJR 260, pages 1394, 1449, Act no. 97-182

HJR 261, pages 1392, 1449, Act no. 97-183

Barnes, ms. Judith, commended as 1997-98 elementary teacher and  
alternate Alabama state teacher of the year -

SR 162, page 2499

Baskin, mr. M. C. and Mrs. Martha Ann, commended on their 50th  
wedding anniversary -

HJR 90, pages 359, 416, Act no. 97-44

Basson, ms. Lucia, of Namibia, Africa, welcomed to Alabama as  
one of a delegation of distinguished women legislators from  
southern Africa -

HJR 85, pages 504, 542, Act no. 97-82

Bayou La Batre area chamber of commerce, commended for its  
outstanding civic contributions during red tide -

SJR 157, pages 2494, 2591, 2593, 2624, Act no. 97-398

Bayou La Batre bay area food bank, commended for its outstand-  
ing civic contributions during red tide —

SJR 156, pages 2493, 2591, 2593, 2624, Act no. 97-397

Belk, mr. Jerry, commended for outstanding achievement and ser-  
vice as director of the Tuscaloosa county parks and recreation  
authority -

HJR 139, pages 508, 547, Act no. 97-89

Ben C. Rain high school varsity boys' basketball team on winning  
the state 5A basketball championship -

SJR 134, pages 2119, 2409, 2411, 2516, Act no. 97-343

Benton, ms. Angela B., of Birmingham, commended as recipient of

the distinguished young woman award of the Tombigbee girl scout council -

HJR 313, pages 2203, 2231, Act no. 97-299

Birmingham, city of, commended on its 125th anniversary -

HJR 211, pages 850, 885, Act no. 97-136

Brasher, mr. and mrs. Teddy R., jr., commended on the occasion of their 50th wedding anniversary -

SJR 127, pages 1910, 1932, 2050, 2093, Act no. 97-257

Brindley, drs. Joe and Syble, commended for distinguished service -

HJR 435, pages 2201, 2231, Act no. 97-335

Brown, mrs. Lillie, of Birmingham, commended for her commitment to the cause of civil rights and voting rights -

SJR 42, pages 539, 630, 632, 633, Act no. 97-97

SJR 51, pages 591, 636, 667, 708, Act no. 97-107

Burdette, coach Robert, commended on his efforts in coaching Calera high school to back-to-back state basketball championships -

SJR 110, pages 1389, 1690, 1696, 1700, Act no. 97-236

Burton, mr. Mike, jr., commended for his outstanding career accomplishments in political organizations of the republican party -

SJR 102, pages 1225, 1387, 1495, 1513, Act no. 97-212

Calera high school basketball team, commended on its 1996-1997 class 2A state championship -

SJR 109, pages 1388, 1689, 1695, 1700, Act no. 97-235

HJR 319, pages 2068, 2088, Act no. 97-268

Campbell, Jeff, of Gordo, commended on his induction into the 1996 university of west Alabama athletic hall of fame -

HJR 93, pages 354, 415, Act no. 97-40

Canterbury high school, commended on their dedication to Montgomery area youth -

HJR 361, pages 2181, 2230, Act no. 97-326

Carrollton lady Indians basketball team, commended on its state championship -

SJR 122, pages 1874, 1932, 2050, 2093, Act no. 97-253

Carter, mr. William Woodrow, commended as recipient of the 1997 Alabama small business person of the year award -  
HJR 367, pages 2179, 2230, Act no. 97-328

Carver, dr. George Washington, of Tuskegee, commended for his outstanding achievements and dr. George Washington Carver day, designated January 5 -  
SJR 17, pages 172, 362, 418, 436, Act no. 97-57  
SJR 76, pages 909, 1011, 1031, 1132, Act no. 97-163

Chambers, mr. John Douglas, of Phenix City, commended on his selection as president of Ingram state technical college -  
HJR 77, pages 220, 360, Act no. 97-36

Christmas, dr. and mrs. Charles M., sr., commended for dedicated service and leadership to the Chilton Baptist association -  
HJR 394, pages 2176, 2229, Act no. 97-319

Citronelle-Call newspaper, commended on its 100th anniversary -  
HJR 411, pages 2162, 2299, 2395, Act no. 97-376

City of Jerusalem, commended on the 30th anniversary of its reunification -  
HJR 452, pages 2265, 2390, Act no. 97-358

Clanton lions club, commended on its 50th anniversary -  
HJR 393, pages 2175, 2229, Act no. 97-318

Clay county high school panthers, commended on their three-time state 2A football championship -  
SJR 50, pages 590, 636, 667, 708, Act no. 97-106

Colonel E. C. Dothard safety education museum, commended and honored for the continuing contributions of the museum to the public's safety -  
HJR 403, pages 2177, 2229, Act no. 97-321

Confer, Ryan, of Huntsville, commended on his outstanding academic achievements -  
HJR 545, pages 3257, 3343, Act no. 97-480

Consolata missionary sisters, commended for selfless service to others -  
SJR 57, pages 644, 767, 777, 860, Act no. 97-116

County directors of department of human resources, commending and supporting them and their staff -  
SJR 94, pages 1161, 1211, 1690, 1695, 1700, 2207

Crawford, mr. Fred C., of Montgomery, commended as the recipient of the university of Montevallo national alumni association's 1996-97 loyal alumnus award -  
SJR 18, pages 174, 362, 418, 436, Act no. 97-58

Curry, dr. William Alton, of Carrollton, commended upon his election as president of the medical association of the state of Alabama -  
HJR 114, pages 493, 541, Act no. 97-78

Dale, mr. and mrs. Donald Arthur, commended on their 50th wedding anniversary -  
HJR 225, pages 2067, 2088, Act no. 97-264

Deas, mr. Gerald, commended for outstanding achievements at the international law enforcement games -  
HJR 26, pages 161, 193, Act no. 97-21

DeMent, miss Susie, of Montevallo, commended upon her nomination to the Alabama high school sports hall of fame -  
SJR 59, pages 668, 767, 777, 860, Act no. 97-117

Drake, representative Tom, commended as recipient of the distinguished iron Mike Mazurki award -  
HJR 371, pages 2179, 2230, Act no. 97-330

Duncan, reverend Lynwood, commended on his outstanding Christian service -  
HJR 334, pages 2174, 2228, Act no. 97-309

Edwards, dr. John L., commended for his professional achievements -  
HJR 202, pages 846, 885, Act no. 97-133

Ellisor, mr. Thomas Steven, of Mobile, commended for his outstanding professional and community service -  
HJR 21, pages 163, 193, Act no. 97-17

Fayette County high school tigers football team, commended on their 1996 4A championship season -

HJR 318, pages 2068, 2088, Act no. 97-267

Foley high school key club, commended on its outstanding achievements -

HJR 342, pages 2169, 2297, 2394, Act no. 97-373

Food service workers, commended for their contributions to the economic prosperity of our state and nation -

HJR 258, pages 1393, 2313, 2393, Act no. 97-409

Fort Dale-South Butler academy girls' tennis team, commended on their 1997 girl's tennis team championship -

HJR 475, pages 2490, 2580, Act no. 97-391

Fowler, miss Jenna Nicole, commended as recipient of the 1996-97 citizenship award at Elsanor school -

HJR 408, pages 2162, 2298, 2394, Act no. 97-374

Fredd, dr. Chester Arthur, sr., commended for outstanding educational and religious service -

HJR 145, pages 506, 547, Act no. 97-93

Gadsden association of life underwriters, commended for its outstanding contributions and achievements -

HJR 66, pages 198, 210, Act no. 97-5

Gadsden regional medical center and its staff, commended for its outstanding contributions to the citizens of Etowah county -

HJR 368, pages 2170, 2230, Act no. 97-329

Gamblin, officer Julius A., commended as recipient of the 1997 legislative medal of honor for law enforcement officers -

HJR 354, pages 2181, 2230, Act no. 97-323

Garrett, Matthew Bernard, of Anniston, commended for outstanding achievement in scouting -

SR 96, page 1163

Garrick, Justin Cockrell, of Vestavia Hills, commended on obtaining the rank of eagle scout -

HJR 196, pages 847, 884, Act no. 97-129

Gauldin, mr. Jack, commended for his outstanding service to the boy scouts of America -

SJR 121, pages 1872, 1932, 2050, 2093, Act no. 97-252

Gibbs, mr. Eural Glendon, commended for his outstanding service to Brilliant, Alabama -  
HJR 289, pages 2204, 2227, Act no. 97-294

Gibson, dr. John T., commended upon his selection as president of Alabama A & M university -  
SJR 90, pages 1145, 1384, 1494, 1513, Act no. 97-203  
HJR 277, pages 2069, 3150, 3341, Act no. 97-478

Grand Bay high school scholars bowl team, commended on its first place team award in the Mobile county scholars bowl -  
HJR 201, pages 1203, 2310, 2393, Act no. 97-363

Grand Bay high school tigers baseball team, commended as state 4A baseball champions -  
SJR 170, pages 3037, 3144, 3190, 3357, Act no. 97-475

Grier, chief Wayne, commended for distinguished service to the state of Alabama -  
HJR 49, pages 198, 210, Act no. 97-28

Grissom high school wrestling team, commended on its third straight state championship game -  
HJR 153, pages 850, 1370, 1435, Act no. 97-180

Gryska, Teddy, of Tuscaloosa, commended on obtaining the rank of eagle scout -  
HJR 113, pages 493, 541, Act no. 97-77

Guin, representative and mrs. James Kenneth, jr., commended on the birth of their son, James Kenneth Guin, III -  
HJR 213, pages 850, 885, Act no. 97-137

Guthans, mr. Robert A., of Mobile, commended as the national rivers hall of fame achievement award recipient -  
HJR 395, pages 1880, 1916, Act no. 97-242

Gvillo, mr. Curtis, of Moundville, commended as catfish farmer of the year -  
HJR 389, pages 2170, 2228, Act no. 97-314

Hagood, mr. Herman Luther, of Limestone county, commended on his 83rd birthday -

HJR 235, pages 2203, 2227, Act no. 97-290

Ham, Deidra, of Fayette, commended for outstanding academic achievement -

SJR 7, pages 100, 361, 417, 436, Act no. 97-51

Hamilton, Eddie G., of Mobile, commended on his outstanding achievements -

HJR 22, pages 162, 193, Act no. 97-18

Hape, mr. Patrick, of Killen, commended for his distinguished football career and accomplishments -

HJR 437, pages 2201, 2232, Act no. 97-336

Harding, mrs. Myrtle Edgeworth, of Lamar county, commended on her 104th birthday -

HJR 75, pages 220, 360, Act no. 97-35

Harris, miss Stefanie, of northside Methodist academy, Dothan, commended as state winner of the respecteen national youth forum -

HJR 399, pages 1880, 1916, Act no. 97-243

Harrison, dean Martin Leigh, commended for outstanding achievement and service to the university of Alabama school of law, and on the occasion of his 90th birthday -

SJR 140, pages 2129, 2410, 2412, 2516, Act no. 97-349

Hawkins, ms. Martha, commended for her outstanding achievements as owner of Martha's place, a Montgomery restaurant -

SJR 73, pages 883, 1010, 1031, 1132, Act no. 97-161

Heflin, senator Howell, commended on his outstanding contributions and leadership in congress -

HJR 333, pages 2179, 2228, Act no. 97-308

Henderson, dr. Ronald E., commended as recipient of the 1996 physicians executive award -

HJR 343, pages 2169, 2228, Act no. 97-312

Henderson, mrs. Charlie Mae, of Montgomery, commended for her outstanding service with the international brotherhood protective order of Elks of the world -

SJR 106, pages 1368, 1689, 1695, 1700, Act no. 97-232

Henson, ms. Pamela Taylor, of Foley high school, commended as  
1997-98 secondary teacher of the year -  
SR 163, page 2500

Herman, ms. Alexis, commended upon her confirmation as United  
States secretary of labor -  
HJR 550, pages 3069, 3338, Act no. 97-477

Hicks, chief Larry, commended as recipient of the 1996 fraternal  
order of police officer of the year -  
SJR 83, pages 1015, 1385, 1493, 1513, Act no. 97-199

Hill, ms. Madeleine, of Tuscaloosa, commended as recipient of  
Tombigbee girl scout council lifetime achievement award -  
HJR 326, pages 1570, 2309, 2394, Act no. 97-372

Holland, mrs. Judy, commended for receiving the chancellor's award  
for outstanding support staff person of the year at Shelton state  
junior college -  
HJR 205, pages 850, 885, Act no. 97-135

Holmes, mr. and mrs. Timothy, commended on their 50th wedding  
anniversary -  
HJR 40, pages 166, 192, Act no. 97-3

Homer, mr. Bill, of Huntsville, commended for outstanding com-  
munity service to Huntsville/Madison county's YMCS and  
youth -  
HJR 178, pages 851, 887, 917, Act no. 97-140

Horn, mr. Allen, commended for his outstanding efforts during red  
tide -  
SJR 159, pages 2496, 2591, 2593, 2624, Act no. 97-400

Hyche, mr. Neil P., of Northport, commended for his outstanding  
professional achievements as superintendent of Tuscaloosa  
county school system -  
HJR 92, pages 359, 416, Act no. 97-46

Isbell, mr. Raymond, commended for his outstanding professional  
achievements as chemistry professor at university of north Ala-  
bama -  
SJR 82, pages 1014, 1385, 1493, 1513, Act no. 97-198

Jefferson Davis high school football team, commended on its 1996  
6A championship -



SJR 39, pages 491, 630, 632, 633, Act no. 97-99

Jim Walter homes, incorporated, and Walter industries, incorporated, commended for providing assistance in many ways to the communities and people of this state -  
HJR 387, pages 2175, 2231, Act no. 97-331

Johnson, coach Bobby Joe, commended for his outstanding professional accomplishments and contributions to high school athletics -  
HJR 37, pages 166, 192, Act no. 97-12

Johnston, miss Christina, commended for her outstanding scholastic achievements -  
HJR 286, pages 2204, 2227, Act no. 97-292

Jones, coach Joey, and staff, and the Mountain Brook spartans, commended on their outstanding 1996 football season -  
HJR 61, pages 197, 210, Act no. 97-4

Jones, dr. Stephen B., commended on his appointment as director of the Alabama cooperative extension system -  
SJR 32, pages 382, 503, 536, 554, Act no. 97-69  
HJR 142, pages 508, 547, Act no. 97-91

Jones, mr. Charlie, commended on his many accomplishments and outstanding performance as the future farmers of America district officer training coordinator for 1996 -  
HJR 433, pages 2104, 2105, Act no. 97-278

Kelsoe, coach Jerry, of central high school, Florence, commended for outstanding achievement upon his retirement -  
HJR 432, pages 2205, 2231, Act no. 97-333

Kent, Joseph Edward, III, commended for outstanding career achievements as a wide receiver for the university of Tennessee volunteers -  
HJR 111, pages 493, 541, Act no. 97-76

King, ms. Hattie P., commended as ms. senior America of Alabama for 1997 -  
HJR 180, pages 851, 884, Act no. 97-126

Knight, reverend E. L., commended for his dedicated service to the ministry and to Cedar Grove Baptist church, Abbeville -

HJR 248, pages 2181, 2225, Act no. 97-281

Ledbetter, mrs. Clyneice, of Franklin county, commended on her professional accomplishments -

HJR 76, pages 359, 888, 917, Act no. 97-139

Lee, mr. and mrs. Charles McDowell, commended on the occasion of their 10th wedding anniversary -

SR 8, page 101

Lewis, Charles Eugene, of Vestavia Hills, commended on obtaining the rank of eagle scout -

HJR 197, pages 847, 885, Act no. 97-130

Little, mrs. Deborah, commended for distinguished service in the field of education -

HJR 276, pages 2069, 2302, 2393, Act no. 97-366

Macedonia free will Baptist church, commended on the occasion of its 150th anniversary -

HJR 233, pages 2202, 2226, Act no. 97-288

Madison county legislative art exhibit, commended for sharing numerous artistic creations with the citizens of their community -

SR 85, page 1017

Madzongwe, ms. Edna, of Zimbabwe, South Africa, welcoming her as one of a delegation of distinguished women legislators from southern Africa -

HJR 86, pages 504, 542, Act no. 97-84

Majors, mr. Fletcher H., jr., commended as recipient of distinguished 1996 land realtor of America award -

SJR 75, pages 895, 1010, 1031, 1132, Act no. 97-162

HJR 234, pages 2202, 2226, Act no. 97-289

Marion county red raiders boy's varsity basketball team, commended for extraordinary achievement -

HJR 223, pages 2066, 2088, Act no. 97-262

Marsh, coach David, Auburn university swimming and diving coach, commended as the NCAA national coach of the year -

SJR 143, pages 2132, 2410, 2412, 2516, Act no. 97-351

Martin, mr. Donny, commended as recipient of the citizen of the year award by Chilton county chamber of commerce -  
HJR 45, pages 165, 193, Act no. 97-15

Martin, mrs. Joyce, of Double Springs, commended for distinguished service as register of the Winston county circuit court -  
SJR 68, pages 748, 768, 777, 860, Act no. 97-120

McCartha, mr. Kenneth R., commended on his distinguished service to the state of Alabama as superintendent of banks -  
HJR 72, pages 224, 360, Act no. 97-33

McCreary, miss Alison, of Florence, commended as miss Alabama 1996 -  
HJR 108, pages 493, 541, Act no. 97-74

McCreary, miss Alison, of Florence, commended as miss Alabama 1996, and invited to address a joint session of the legislature -  
HJR 94, pages 364, 416, Act no. 97-47

McDevitt, mr. and mrs. Charles Robert, commended on their marriage on December 28, 1996 -  
HJR 200, pages 1203, 2311, 2393, Act no. 97-362

McDonald, mr. Earl, of Fayette county, commended for his magnanimous contributions to Bevill state community college -  
SJR 117, pages 1725, 1931, 2049, 2093, Act no. 97-251

McEntyre, mr. and mrs. Dan, of Rainbow City, commended on their 50th wedding anniversary -  
HJR 63, pages 224, 360, Act no. 97-32

McGill-Toolen high school girls volleyball team, commended on its 1996 state 6A championship -  
HJR 365, pages 2135, 2226, Act no. 97-303

Mellown, dr. William Ewing, jr., of Prattville, commended on his professional achievements -  
HJR 33, pages 165, 192, Act no. 97-9

Middleton, miss Jessica Danielle, of Robertsedale, commended as recipient of the 1996-97 citizenship award at Rosinton school -  
HJR 409, pages 2162, 2301, 2395, Act no. 97-375

Military and civilian employees of the United States army missile command, Huntsville, commended for their untiring service and

support to the defense of this nation -

SJR 105, pages 1280, 1386, 1495, 1513, Act no. 97-214

Miller, miss Amber, commended on the honor of being chosen miss Alabama agriculture and welcoming her to the Alabama legislature -

SJR 54, pages 636, 767, 777, 860, Act no. 97-115

HJR 183, pages 848, 884, Act no. 97-127

Mission playground in the city of Prattville, organizers and the entire community, commended on their participation in building the facility -

HJR 473, pages 2489, 2519, 2581, Act no. 97-389

Mitchell, dr. Joseph Christopher, commended for distinguished service upon his retirement from Bishop state community college -

HJR 287, pages 2204, 2227, Act no. 97-293

Mitchell, mayor Quitman J., of Bessemer, commended for his exemplary record of service to his community -

SJR 22, pages 178, 363, 418, 436, Act no. 97-61

Mobil Oil, commended for its outstanding contributions to seafood industry of Bayou La Batre during red tide -

SJR 155, pages 2492, 2591, 2593, 2624, Act no. 97-396

Montgomery academy forensics team, commended on its third state championship at Alabama forensic educator's association -

SJR 132, pages 2085, 2098, 2099, 2185, Act no. 97-275

Moore, dr. Jane Barton, commended on her professional achievements upon her retirement from Auburn university's chair of the committee on intercollegiate athletics -

SJR 160, pages 2497, 2591, 2593, 2624, Act no. 97-401

Mountain Brook spartans, coach Joey Jones, and staff, commended on their outstanding 1996 football season -

HJR 61, pages 197, 210, Act no. 97-4

Murrah, mr. Roger, commended on his outstanding professional career as a Nashville songwriter -

HJR 355, pages 2181, 2230, Act no. 97-324

Musgrove, mr. Gordon, of Prattville, commended for outstanding service to the Prattville community -

HJR 110, pages 502, 541, Act no. 97-75

Nelson, miss Ann Patton, of Jasper, commended as top high school volunteer in the state of Alabama -  
SR 101, page 1224

Nyama, ms. M.M.A. Koti, of South Africa, welcoming her as one of a delegation of distinguished women legislators from South Africa -  
HJR 87, pages 504, 542, Act no. 97-83

Occupational therapists, commended for their achievements and contributions of increasing the quality of life for Alabama's citizens in need of rehabilitation services -  
HJR 314, pages 2180, 2226, Act no. 97-286

Ogletree, ms. Glenda, of Helena, commended as Helena elementary school's teacher of the year -  
SJR 12, pages 121, 362, 417, 436, Act no. 97-52

Open Door Baptist lady eagles basketball team, commended as North Alabama Christian conference state champions -  
SJR 125, pages 1877, 1932, 2050, 2093, Act no. 97-256

Optimist club of east Montgomery, commended on its new program, "always buckle children in the back seat" -  
HJR 224, pages 2067, 2088, Act no. 97-263

Pastorcich, Matthew Anton, of Mobile, commended on obtaining the rank of eagle scout -  
HJR 254, pages 2182, 2225, Act no. 97-283

Pate, mr. and mrs. Andrew Horace, of Tuscaloosa, commended on the occasion of their 50th wedding anniversary -  
HJR 285, pages 2204, 2227, Act no. 97-291

Patterson, judge John, commended for his outstanding professional achievements -  
SJR 15, pages 124, 362, 417, 436, Act no. 97-55

Paul Lawrence Dunbar magnet school band, commended for their "superior rating" at the state band festival in Birmingham -  
SJR 133, pages 2118, 2409, 2411, 2516, Act no. 97-342

Pepper, mr. Simpson, commended on his outstanding service to the university of Alabama as public address announcer -

HJR 413, pages 2162, 2300, 2395, Act no. 97-377

Perkins, mr. Robert E., commended on his outstanding professional achievements -

HJR 273, pages 2069, 2096, Act no. 97-277

Peters, mr. E. Doody, commended for his outstanding achievements as an oyster catcher -

HJR 41, pages 166, 192, Act no. 97-13

Peterson, ms. Jude, commended for her service as the executive director of the united way of Lee county -

SJR 139, pages 2128, 2410, 2412, 2516, Act no. 97-348

Pfanzelter, lieutenant colonel Joseph J., of Jacksonville, commended for outstanding service to the military upon his retirement from the U. S. Army -

HJR 291, pages 2183, 2225, Act no. 97-285

Pickett, major general George Bibb, jr., commended on his noble military accomplishments and on the celebration of his 79th birthday -

HJR 227, pages 2067, 2088, Act no. 97-265

Ray, mr. Johnny Max, commended on his outstanding achievements -

HJR 290, pages 2183, 2225, Act no. 97-284

Rhodes, mr. James, of Camp Hill, commended as the recipient of the 1997 person of the year award by the Dadeville area chamber of commerce -

SJR 14, pages 123, 362, 417, 436, Act no. 97-54

Richardson, ms. Alberta N., of Mobile, commended upon her selection as Murphy high school teacher of the year -

HJR 401, pages 1880, 1916, Act no. 97-244

Rogers, mr. Willard, of Tillman's Corner, commended for his outstanding community achievements -

HJR 46, pages 198, 210, Act no. 97-26

Rumbley, dr. Hector Mack, of Roanoke, commended on 50 years of veterinary medical practice -

HJR 523, pages 3259, 3343, Act no. 97-479

Russellville middle school scholar's bowl team, commended for outstanding scholastic achievement -

SJR 84, pages 1016, 1385, 1493, 1513, Act no. 97-200

Sahlie, Clark and Cindy, of Montgomery, commended on the birth of a son, William Clark Sahlie -

SJR 41, pages 538, 630, 632, 633, Act no. 97-98

Saks high school football team, commended on its outstanding season -

HJR 83, pages 224, 361, Act no. 97-39

Santos, ms. Doris, commended as 1997 secondary teacher of the year for the Gadsden city school system -

HJR 390, pages 2170, 2229, Act no. 97-315

Scott, Christopher Derek, commended on obtaining the rank of eagle scout -

SJR 5, pages 9, 361, 417, 436, Act no. 97-49

Seafood Association, commended for its outstanding civic contributions to seafood community of Bayou La Batre during red tide -

SJR 154, pages 2491, 2591, 2592, 2624, Act no. 97-395

Seaman, mayor Warren, of Bayou La Batre, commended for his outstanding efforts during red tide -

SJR 158, pages 2495, 2591, 2593, 2624, Act no. 97-399

Searcy, Mallie, commended on her outstanding service to Christ Episcopal church in Tuscaloosa, Alabama -

HJR 262, pages 1393, 1449, Act no. 97-184

Shelton state community college golf team, commended on its Alabama state junior college golf championships -

HJR 487, pages 3262, 3345, Act no. 97-484

Shelton state community college scholars bowl team, commended for outstanding achievement -

HJR 423, pages 2163, 2296, 2395, Act no. 97-379

Sims, former mayor Elbert Thurman, jr., of Hamilton, commended for outstanding achievements and professional contributions to his community -

HJR 107, pages 505, 543, Act no. 97-86

Smith, representative Curtis, of Chilton county, commended as recipient of the modern woodmen of America's 1997 citizen of

the year -

SJR 98, pages 1172, 1386, 1494, 1513, Act no. 97-209

Smotherman, mr. James L., of Vestavia Hills, commended for outstanding contributions and service -

HJR 474, pages 2490, 2580, Act no. 97-390

Snider, ms. Barbara, of Birmingham, commended for outstanding professional achievement and service -

HJR 459, pages 2265, 2390, Act no. 97-359

Southeast YMCA girls' under 10 soccer team, commended for capturing the 1996 division soccer championship -

SJR 167, pages 2621, 2947, 3026, 3357, Act no. 97-471

Southern African women legislators, welcomed to Alabama -

HJR 84, pages 503, 542, Act no. 97-81

Sparkman high school cheerleaders, of Toney, commended for winning the varsity co-ed cheerleading division at the national cheerleading competition -

HJR 168, pages 849, 2313, 2393, Act no. 97-361

Springer, mrs. June B., of Northport, commended for outstanding service and achievement to the Tombigbee girl scout council -

HJR 391, pages 2171, 2229, Act no. 97-316

St. Vincent's hospital nursing staff, Birmingham, commended for providing special care and assistance to Tanya M. Guin, wife of representative James Kenneth Guin -

HJR 203, pages 846, 885, Act no. 97-134

Stallings, coach Gene, commended on his many lifetime achievements -

SJR 47, pages 587, 635, 667, 708, Act no. 97-103

HJR 230, pages 908, 918, Act no. 97-124

Stewart, dr. William S., commended upon his retirement from the university of north Alabama -

HJR 485, pages 2488, 2581, Act no. 97-393

Stone, ms. Geri L., of Tuscaloosa, commended for outstanding achievement and service -

HJR 327, pages 2182, 2226, Act no. 97-287

HJR 328, pages 2182, 2227, Act no. 97-296



Strickland, Brandon, of Wilmer, commended for his talent and ability to preserve and protect our natural resources -  
HJR 144, pages 506, 547, Act no. 97-92

Stringer, mrs. Maggie J., commended upon her retirement from Montgomery county school system for her outstanding career accomplishments -  
SJR 149, pages 2220, 2411, 2413, 2516, Act no. 97-355

Stritzinger, ms. Jane Ellen, commended as recipient of the outstanding educator award of the Tombigbee girl scout council -  
HJR 329, pages 2183, 2228, Act no. 97-297

Taylor, ms. Consuela Michelle, commended for outstanding contributions and service to the Alabama student nursing association as the first black nursing association president -  
HJR 122, pages 493, 542, Act no. 97-80

Taylor, dr. Edward Bunker, commended as recipient of the Beta Theta Pi international fraternity's prestigious Oxford cup -  
SJR 108, pages 1373, 1689, 1695, 1700, Act no. 97-234

Terry, mr. Henry, of George Washington Carver high school, Montgomery, commended as recipient of the 1997 reader's digest American heroes in education award -  
SJR 115, pages 1656, 1704, 1724, 1924, Act no. 97-241

Theodore high school Scott Hi-Q academic team, commended on outstanding achievements -  
HJR 249, pages 2181, 2227, Act no. 97-295

Thompson, reverend John S., commended for faithful service to peace missionary Baptist church and Pratt City community -  
HJR 121, pages 492, 541, Act no. 97-79

Toorchen, dr. Jon, of Chattahoochee Valley, commended for his outstanding work commemorating the 130th anniversary of the C.S.S. Alabama -  
HJR 34, pages 165, 192, Act no. 97-10

Truelove, ms. Linda H., of Cottdale, commended as recipient of the Christa McAuliffe fellowship award for the state of Alabama for 1996 -  
HJR 425, pages 2163, 2295, 2397, Act no. 97-381

Tucker, mr. and mrs. Clevan, of York, commended on the occasion of their 51st wedding anniversary -  
HJR 91, pages 359, 416, Act no. 97-45

Turner, mr. Frank Patterson, III, of Athens, commended for outstanding community service and professional achievement -  
SJR 148, pages 2219, 2411, 2413, 2515, Act no. 97-354

Tuscaloosa academy boys basketball team, commended on capturing the 3A state championship -  
SJR 123, pages 1875, 1932, 2050, 2093, Act no. 97-254

Tuscaloosa academy girls' varsity basketball team, commended as 1997 AISA state champions -  
SJR 89, pages 1110, 1384, 1494, 1513, Act no. 97-202

Tuscaloosa Christian school girls basketball team, commended for its 1997 championship -  
SJR 60, pages 679, 768, 777, 860, Act no. 97-118  
SJR 124, pages 1876, 1934, 2050, 2093, Act no. 97-255

U. S. army missile command and the establishment of the U. S. army aviation and missile command, commended and honored for their untiring service and support to the defense of this nation -  
SJR 104, pages 1279, 1386, 1495, 1513, Act no. 97-213

U. S. army, space and ballistic missile defense team, Huntsville, commended for forty years of space achievement -  
HJR 332, pages 2170, 2228, Act no. 97-307

Wade, mr. Andrew C., of Carrollton, commended as president of the Alabama bankers association -  
HJR 259, pages 1393, 1449, Act no. 97-181

Wallace community college basketball team, in Dothan, commended on an outstanding 1996-77 season -  
HJR 424, pages 2163, 2296, 2395, Act no. 97-380  
HJR 434, pages 2205, 2231, Act no. 97-334

Walsh, David McFerrin, of Vestavia Hills, commended on obtaining the rank of eagle scout -  
HJR 198, pages 847, 885, Act no. 97-131

Wells, reverend Carl P., jr., commended on his distinguished ministry -  
HJR 81, pages 221, 361, Act no. 97-38

West, dr. James E., of Anniston, commended for his outstanding service to the medical profession -  
SJR 147, pages 2218, 2411, 2412, 2516, Act no. 97-353

Wilberforce university gospel choir, of Ohio, welcomed to Birmingham and commended for sharing their message of hope and inspiration to grateful audiences throughout the country -  
HJR 179, pages 851, 884, Act no. 97-125

Wilson, mrs. Sue C., commended upon her retirement on her long and distinguished professional service with the St. Clair county commission -  
HJR 321, pages 1569, 2308, 2394, Act no. 97-367

Wisniewski, mrs. Annette, commended for distinguished service in the field of education -  
HJR 274, pages 2069, 2305, 2393, Act no. 97-364

Woods, mr. Tiger, commended on winning the masters golf tournament -  
HJR 414, pages 2163, 2300, 2395, Act no. 97-378

Wynn, dr. Cordell, commended upon his retirement for distinguished service to Stillman college -  
SJR 35, pages 430, 503, 536, 554, Act no. 97-71  
HJR 98, pages 354, 415, Act no. 97-41  
HJR 100, pages 355, 415, Act no. 97-42

## RESOLUTION, DESIGNATION

A. W. Todd highway, portion of U. S. highway 43, named -  
HJR 99, pages 365, 2307, 2392, Act no. 97-339

Agribusiness day in Alabama, designated February 19, 1997 -  
SJR 19, pages 175, 363, 418, 436, Act no. 97-59

Alabama association of resource conservation and development councils day in Alabama, designated April 9, 1997 -  
SJR 99, pages 1222, 1386, 1495, 1513, Act no. 97-210

Alabama family week, designated March 31 - April 6 -

SR 67, page 725

Alabama institute for deaf and blind, 1997 designated as the year of specialized schools, and commended for its outstanding contributions to the state of Alabama -  
HJR 74, pages 365, 890, 917, Act no. 97-138

Alabama recycles day, designated November 15, 1997 -  
HJR 125, pages 505, 547, Act no. 97-88

Bama soil series, designated as the official state soil -  
SJR 107, pages 1372, 1689, 1695, 1700, Act no. 97-233

Blue Devil way in Cordova, formerly known as school street, re-named -  
HJR 336, pages 2175, 2228, Act no. 97-311

Bobbie McDowell gift of life act, act 96-474 named -  
HJR 73, pages 221, 360, Act no. 97-34

Carl Williams bridge, Moffet road bridge in Mobile named -  
HJR 24, pages 162, 193, Act no. 97-19

Chilton county area vocational center in Clanton, renamed the W. A. "Bing" LeCroy vocational center -  
SJR 128, pages 1911, 1932, 2050, 2093, Act no. 97-258

Dan Ireland and Alabama citizens action program (ALCAP) session, the 1997 regular legislative session, designated -  
HJR 436, pages 2199, 2227, Act no. 97-306

Dr. George Washington Carver day, January 5 designated -  
SJR 17, pages 172, 362, 418, 436, Act no. 97-57  
SJR 76, pages 909, 1011, 1031, 1132, Act no. 97-163

Glen R. Clem memorial gymnasium at UAB Walker college, Jasper, named -  
SJR 27, page 212

Hank Williams memorial lost highway, a section of I-65 from Millbrook to Georgiana, designated -  
HJR 167, pages 849, 1663, 1691, Act no. 97-231

Heart of Dixie railroad museum, in Calera, recognized as official state railroad museum -

SJR 86, pages 1018, 1385, 1494, 1513, Act no. 97-201

Henry E. Hamilton bridge on highway 72 over Elk river at the  
Limestone county and Lauderdale county line, named -  
HJR 419, pages 2168, 2229, Act no. 97-322

Hepatitis awareness month, designated the month of May -  
HJR 396, pages 2176, 2229, Act no. 97-320

Horse pens 40, in St. Clair county, home of the south's bluegrass  
music, designated -  
HJR 177, pages 848, 1148, 1214, Act no. 97-172

Jack Hankins highway, highway 17 from Vernon to Sulligent in  
Lamar county, named -  
HJR 151, pages 849, 2314, 2392, Act no. 97-341

Larry Dixon judicial compensation act, house joint resolution 412,  
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Manufacturing week, designated March 10-14, 1997 -  
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Marian Pilcher Hooton Cheaha mental health day care center, des-  
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SJR 95, pages 1161, 1384, 1494, 1513, Act no. 97-207

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HJR 112, pages 727, 745, Act no. 97-111  
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Public power week, designated October 5-11, 1997 -

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HJR 362, pages 1881, 1915, Act no. 97-237

Rabby memorial bridge, bridge over Coden Bayou on highway 188 in Mobile county, named -  
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Shelton state community college as the state junior college of fine arts, designated -  
HJR 48, pages 198, 210, Act no. 97-27

U. S. steel parkway, between I-59 and Milstead road in Fairfield in Jefferson county, renamed -  
HJR 89, pages 366, 416, Act no. 97-43

University of west Alabama highway, portion of highway 11 in Sumter county, known as Livingston university highway, re-named -  
HJR 335, pages 2174, 2228, Act no. 97-310

Vera Vaughn park, located adjacent to Hayden elementary school in Blount county, named -  
HJR 106, pages 509, 543, Act no. 97-85

Visionland freeway, portion of I-59 going west from Birmingham city limits to the interchange of I-459 and I-20 in Jefferson county, named -  
SJR 48, pages 589, 635, 667, 708, Act no. 97-104

Willis V. Moore highway, portion of highway 255 in Madison county, known as Rideout road, renamed -  
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Women's history month, designated in March, support expressed for women's leadership consortium -  
HJR 174, pages 697, 701, Act no. 97-110

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SJR 6, pages 98, 361, 417, 436, Act no. 97-50

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Alabama commission on higher education, board of trustees of the university of Alabama, department of postsecondary education, and the state's institutions of higher education, urging support for "learning in retirement" -  
HJR 214, pages 1204, 2315, 2393, Act no. 97-384

Alabama forestry commission, volunteer fire departments, and the rural community fire protection institute, joint interim legislative committee created to study the working relationship -  
HJR 398, pages 2065, 2088, Act no. 97-276

Alabama loan fund authority, supreme court advisory opinion regarding senate bill 20 which authorizes \$12 million in bonds for revolving loan fund regional planning commissions -  
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American prisoners of war in Southeast Asia, U. S. Congress urged to take further action -  
SJR 169, pages 2627, 3107, 3140, 3357, Act no. 97-474

Auburn university, regret expressed for board of trustees membership situation, supreme court of Alabama urged to expedite appeals -  
SR 118, page 1726

Balanced federal budget, congress urged to pass constitutional amendment to be submitted to states for ratification -  
SJR 28, pages 227, 1149, 1385, 1493, 1513, Act no. 97-195  
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Birth defects, monitoring and prevention, joint interim committee created to study -  
HJR 78, pages 357, 415, 2325, 2391, Act no. 97-338

Black belt infrastructure development, joint interim legislative committee created -  
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Budget process, select senate committee created to study -  
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Businesses, state agencies to develop one-stop licensing and per-

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HJR 123, page 852

Caregivers and victims of alzheimer's disease and related disorders, joint committee to evaluate unmet needs, reporting time extended -  
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Clean air and water, U. S. congress memorialized to submit constitutional amendment to states regarding right to -  
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Cole, Nat King, joint interim legislative committee created to study methods of preserving his childhood home in Montgomery -  
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Cooper, mr. Melvin, urged to withdraw lawsuit stopping John Nettles from serving on pardons and paroles board regarding Guy Hunt -

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Decorum, senate select committee created to study -  
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H	580	-	Act No. 97-156
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H	583	-	Act No. 97-151
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H	591	-	Act No. 97-160
H	592	-	Act No. 97-168
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H	625	-	Act No. 97-643
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